

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE SOUTHERN DISTRICT OF TEXAS

3 HOUSTON DIVISION

4 USA § CASE NO. 4:24-cr-00543-1, 5, 6
5 VERSUS § HOUSTON, TX
6 §
7 JOHN M PFEFFER, § WEDNESDAY,
BRADLEY RICKENBACKER, § FEBRUARY 26, 2025
DAVID VARGAS § 10:07 AM to 1:18 PM

8 DETENTION HEARING

9 BEFORE THE HONORABLE RICHARD BENNETT
10 UNITED STATES MAGISTRATE JUDGE

11 APPEARANCES:

12 FOR THE PARTIES: SEE NEXT PAGE

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1 HOUSTON, TEXAS; WEDNESDAY, FEBRUARY 26, 2025; 10:07 AM

2 CLERK: -- this Honorable Court.

3 THE COURT: All right. the court calls United States
4 versus John Pfeffer, Defendant number 124CR543, Bradley
5 Rickenbacker, Defendant number 5, and David Vargas -- wait.

6 THE COURT OFFICER: (indiscernible)

7 THE COURT: David Vargas is number 6.

8 THE COURT OFFICER: (indiscernible)

9 THE COURT: Who's here for the Government?

10 MS. BOWEN: Good morning, Your Honor. Grace Bowen on
11 behalf of the Government.

12 THE COURT: Good morning. And who's here on behalf
13 of the Defendants?

14 MR. WILLIAMS: Tate Williams for Mr. Pfeffer, Your
15 Honor. And obviously, he's present.

16 THE COURT: Mr. Pfeffer, will you please state your
17 name for the record?

18 MR. PFEFFER: John Michael Pfeffer, Your Honor.

19 THE COURT: Thank you. And next, for Mr.
20 Rickenbacker.

21 MR. DEGUERIN: Michael DeGeurin.

22 THE COURT: Sir, would you please state your name?

23 MR. RICKENBACKER: Yeah, sorry. Bradley
24 Rickenbacker.

25 THE COURT: And for Mr. Vargas?

1 MR. WAKEFIELD: John Wakefield, Your Honor.

2 THE COURT: I'm sorry, could you please --

3 MR. WAKEFIELD: My client couldn't stand because he's
4 (indiscernible)

5 THE COURT: Could you just please state your name?

6 MR. VARGAS: David Vargas, Your Honor.

7 THE COURT: All right. Thank you.

8 All right. We are set for detention hearings on
9 these three Defendants. What's the Government's basis for
10 detention on these three Defendants?

11 MS. BOWEN: Your Honor, the basis for detention is 18
12 USC Sections 3142(f)(1)(B,) and (f)(2)(B.)

13 THE COURT: And are you -- Based on what, the
14 presumption?

15 MS. BOWEN: Based on the presumption, each Defendant
16 is charged with a count, at least one count, of 924(c,) and one
17 of them is charged with murder and aid of racketeering, which
18 would make this a presumption case under 3142(e)(3.) And
19 there's also a concern about witness intimidation and witness
20 safety as well.

21 THE COURT: All right. What were the other sections
22 that you were moving under as well?

23 MS. BOWEN: It was 3142(f)(1)(B) and (f)(2)(B).

24 THE COURT: Okay.

25 MR. WILLIAMS: Just as a preliminary, Judge.

1 THE COURT: Yes.

2 MR. WILLIAMS: To clarify, then, the Government is
3 not seeking detention based on flight, which would be
4 (f) (2) (A.) Is that --

5 THE COURT: Well, there's a presumption. There's a
6 presumption that there's a risk of flight, and a danger to the
7 community. So that falls under both presumptions because of
8 the 924(c). So they're not -- So under E --

9 MR. WILLIAMS: Well, I mean, if they're willing to
10 stipulate that they're not a flight risk, that would save us
11 time. That's the only reason I'm bringing it up. Because they
12 didn't say (f) (2) (A) as to the non-presumption of the
13 Defendants, so that's why I'm asking (indiscernible)

14 THE COURT: No, you're right. Well, is there a non-
15 presumption defendant? I think all of them have a 924(c)
16 charge.

17 MS. BOWEN: That's correct, Your Honor.

18 MR. WILLIAMS: So same question. Are they
19 stipulating, or willing to stipulate that none of these
20 Defendants, or at least my Defendant is a flight risk? Because
21 that could streamline the hearing.

22 MS. BOWEN: No, Your Honor.

23 MR. WILLIAMS: Okay. Fair enough. That's all I need
24 to know. Thank you.

25 THE COURT: So we're going to do all this at one

1 time.

2 MS. BOWEN: Yes.

3 THE COURT: And so you'll present the evidence, and
4 then after you're done, I'll allow each attorney to cross-
5 examine and redirect, and then another cross and redirect, and
6 then you all can put on your case. But just so -- explain to
7 the Defendants, the Government is requesting that you be
8 detained pending trial in this case, primarily under the
9 rebuttable of presumption that there are no condition, or
10 combination of conditions that will reasonably assure the
11 appearance of the person as required, and the safety of the
12 community, as well as under (f)(1)(B,) that this case involves
13 a crime of violence, and (f)(2)(B,) the serious risk that such
14 a person will obstruct or attempt to obstruct justice, or
15 threaten or intimidate, or attempt to threaten, injure, or
16 intimidate a prospective witness or juror.

17 MR. DEGUERIN: Judge, if I may, just a question. So
18 it looks like the Government has handed to the Defense Table,
19 not individually a Defendant, but a stack of things that are
20 going to be exhibits --

21 THE COURT: Okay.

22 MR. DEGUERIN: -- that I've never seen, and I don't
23 have any -- And I know I have time to potentially go through it
24 while they're testifying, however, we have one copy for the
25 Defense Table, that --

1 THE COURT: Have you all -- have any of you all seen
2 this?

3 MR. WAKEFIELD: Not just that we were handed, Judge.
4 It was handed to us about four minutes ago.

5 THE COURT: I mean, that's going to take up the
6 Court's time while they, you know, have a chance to look at
7 some of these exhibits, and there are a lot of exhibits. Why
8 the delay? I mean, you could have got here 15, 20 minutes ago,
9 and given it to them.

10 MS. BOWEN: Well, we, in our defense, Your Honor, we
11 were here 20 minutes ago. I won't speak on behalf of the
12 defense attorneys. They got here probably 10 minutes before
13 the hearing, and we presented them with the copy.

14 THE COURT: I mean -- You want some -- a few minutes
15 to look at things?

16 MR. DEGUERIN: I mean, I'd like to have my own copy,
17 so I can look at it, and each of us have our own copy. But I
18 don't know if they have -- It looks like they have several
19 sets.

20 But also, if they're going to be moving to introduce
21 these into evidence, certainly we need to have a chance to look
22 at them, and know the context of them.

23 THE COURT: Correct.

24 MR. DEGUERIN: They're not trying to pre-admit them,
25 obviously. They're going to have to go through the --

1 THE COURT: Right. Why don't you take a couple
2 minutes just to kind of look through them, and then before we
3 admit anything, you know, you have to tender it, and see if
4 there's any objections from you all before they admit it for
5 purposes of this detention hearing only.

6 MR. WILLIAMS: Judge, I --

7 THE COURT: If you have extra copies, you know, give
8 them an extra copy to look at.

9 MS. BOWEN: Okay, Your Honor.

10 MR. WILLIAMS: I have the exhibits, so I'm going to
11 tender them a copy. We're done marking them. But obviously,
12 they're going to have ample time prior to my proffer to review,
13 so -- I'll get those to you in a minute, but I don't think
14 (indiscernible)

15 MS. BOWEN: Yeah, we would -- If you guys are going
16 to take some time to review yours now, we would like time to
17 review.

18 MR. WILLIAMS: You'll have them in a minute.

19 MS. BOWEN: Yeah.

20 MR. WILLIAMS: Okay.

21 MS. BOWEN: And Your Honor, I can give them another
22 copy, but we will need it back, because it's the Government's
23 copy (indiscernible)

24 THE COURT: That's fine. As long as they have the
25 time to look at things, don't mess anything up, and just give

1 it back to the Government after you've looked at it.

2 MR. WAKEFIELD: (indiscernible)

3 MS. BOWEN: I can give you guys this copy. I will
4 just need it back, though.

5 MR. BLACK: And then just for the record, this is
6 Byron Black from the Government, we do have a Court copy as
7 well, and we can tender that to the Court at this time,
8 understanding they are not admitted, they are just to aid in
9 the Court's review and determination of any objections.

10 THE COURT: Let's just give them to me once you admit
11 them.

12 MR. BLACK: Okay. Fair enough.

13 (Parties confer.)

14 THE COURT: All right. How are we doing? Are we
15 almost done?

16 MR. WILLIAMS: I've had a chance to at least look at
17 them, and I guess objections will come as they're presented.

18 THE COURT: Sure. And obviously, everyone knows the
19 rules of evidence don't apply in the detention hearings that
20 we're moving forward with today, and these will be admitted, if
21 they're admitted, only for purposes of this hearing.

22 (Parties confer.)

23 MS. BOWEN: All right. Your Honor, I did want to
24 mention that we do have a few videos that are obviously not in
25 this pile of paper exhibits, that I forgot to put the Defendant

1 on notice about. I don't know if you all want to view them
2 beforehand, if that would kind of (indiscernible)

3 THE COURT: How long are they?

4 MS. BOWEN: Short. Most of them are pretty short. I
5 think one or two are about two minutes.

6 THE COURT: You all can go crowd around the computer
7 over there, and look at them real quick.

8 MS. BOWEN: Do you all want to come over and
9 (indiscernible)

10 (Parties confer.)

11 THE COURT: All right. Is everyone ready to go,
12 ready to proceed?

13 MS. BOWEN: The Government is ready, Your Honor.

14 THE COURT: All right. Are you -- the Government's
15 ready? You have your first witness?

16 MS. BOWEN: Yes, Your Honor. The Government calls
17 Task Force Officer Josh Lyons to the stand.

18 THE COURT: Okay.

19 THE COURT OFFICER: Can you raise your right hand?

20 Do you solemnly swear that the testimony you will
21 present to the Court today will be the truth, the whole truth,
22 and nothing but the truth, so help you God?

23 OFFICER LYONS: Yes, ma'am, I do.

24 THE COURT OFFICER: You may be seated.

25 MS. BOWEN: May I proceed, Your Honor?

1 THE COURT: Yes.

2 DIRECT EXAMINATION

3 BY MS. BOWEN:

4 Q. Good morning, Officer Lyons.

5 A. Good morning.

6 Q. Could you please state your name for the record,
7 and spell it for the court reporter?

8 A. Joshua Lyons, J-O-S-H-U-A L-Y-O-N-S.

9 Q. And what do you do for a living?

10 A. I'm a State Police Lieutenant with the Inspector
11 General's Office at TBCJ, assigned as a Task Force Officer to
12 the FBI Houston Safe Streets Task Force.

13 Q. And how long have you been in this position?

14 A. I've been in law enforcement since approximately
15 2007, have been attached to the FBI as a Task Force Officer
16 since 2010.

17 Q. And with your current position, what kind of
18 cases do you investigate?

19 A. We work primarily violations of federal law under
20 the racketeering statutes, as well as narcotics, conspiracies,
21 firearms, etc.

22 Q. And in this position, have you become familiar
23 with an organization by the name of the Bandidos Outlaw
24 Motorcycle Gang?

25 A. Yes, ma'am.

1 Q. How so?

2 A. We initiated a case on the Bandidos Outlaw
3 Motorcycle Gang in approximately 2019.

4 Q. Okay. And why did you initiate that case? What
5 was going on then?

6 A. In the motorcycle community, there had been an
7 outbreak of violence specifically between three groups in the
8 greater Houston area, one of them being the Banditos, and the
9 other two being the Brothers East, or B*EAST, and their ally,
10 the Homietos.

11 Q. Okay. And through this investigation, have you
12 been able to interview sources, witnesses, other individuals
13 that have provided you with information about the Banditos?

14 A. Yes, ma'am.

15 Q. And what other investigative techniques have you
16 used to obtain information about the Banditos?

17 A. Interviews, surveillance, social media research,
18 controlled purchases of narcotics, proactive, which are the
19 proactive investigations, search warrants on residences, search
20 warrants on cell phones, consensual recordings, etc., numerous.

21 Q. And just tell us generally who the Bandidos are.

22 A. The Bandidos is an outlaw motorcycle gang defined
23 by wearing the 1% diamond on their vests or cuts. They were
24 created here in Texas, and consider Texas their home state,
25 their home turf. They have expanded over the years across the

1 United States in several states, and have a worldwide presence,
2 with chapters in other countries. They have a paramilitary
3 hierarchy and structure, operate under a set of bylaws.

4 Q. And you mentioned the 1% symbol. Can you tell us
5 what the 1% symbol means?

6 A. When motorcycle clubs kind of became the thing,
7 forming after the Vietnam War, certain groups started to wear a
8 1% diamond. The American Motorcycle Association, in order to
9 try to quell the public, said, well, don't worry, 99% of
10 motorcycle riders are law-abiding citizens, and it's only the
11 1% that are the outlaws or the rule-breakers, so to speak. So
12 some of these organizations took pride in that, and thus said,
13 okay, we're the one percenters.

14 Q. Okay. And how does somebody gain membership in
15 the Banditos?

16 A. In the Banditos, a lot of members start off as
17 members of an officially sanctioned support club, or can come
18 around as, like, an official hang-around status, where you kind
19 of have to show that you're down for the motorcycle life, you
20 know how to ride, can be trusted. People have to know you,
21 that they can be able to do a good background on you. And
22 then, if you have kind of proven yourself, you are offered to
23 be a prospective member or prospect, or can come over as a
24 probationary member.

25 Q. And about how long does this process take?

1 A. They actually have it defined in their bylaws,
2 though it can be up to the chapter presidents on a hang-around
3 period. A hang-around period can be anywhere from a few months
4 to a few years, to once you become an official prospect, it at
5 least has to be six months, or 180 days.

6 Q. Okay. Now looking more so at the overall
7 hierarchy and structure of the Bandidos, can you tell us a
8 little bit about that?

9 A. Again, technically, the official hang-around is
10 kind of your first step, and then you become a prospective
11 member, a prospect, or probationary member. Once you've gone
12 through that process, then you become a regular member, so to
13 speak, or like, just a soldier, so to speak. Then, they have
14 other ranks you can achieve within a chapter, which could be
15 anywhere from sergeant at arms, to road captain, to secretary-
16 treasurer, vice president, and president or -- and that's
17 within a chapter.

18 Q. Okay. So you're talking about chapters. Are
19 chapters more local, are they geographic? Tell us about that.

20 A. Predominantly, they are just in the area, and
21 they're named after city, county, or region, you know? For
22 example, here in Houston, you have anywhere between 11 and 17
23 at one time, you know, Houston, Northwest Houston, Northeast
24 Houston, Southwest Houston, Galveston, etc.

25 Q. Okay. And beyond just the local chapters, are

1 there other higher up ranking Banditos?

2 A. There is a Nomad chapter, which is kind of its
3 own entity. And then there's a National chapter, which is made
4 up of national officers that basically oversee and run the
5 Banditos.

6 Q. Okay. And do the Banditos wear certain colors or
7 certain identifying symbols as a club?

8 A. Red and gold is their standard color, and thus
9 their cuts or vests have pretty distinguishable patches that
10 says that they're Banditos. And the cuts will tell you a lot
11 about the individual member, with their rank, their status,
12 different things about how long they've been in the club,
13 violence committed, runs or rides they've been on. So it's a
14 story in itself.

15 Q. And in addition to wearing these things on their
16 cut, do they tend to wear their symbols or their colors on
17 other items of clothing or accessories?

18 A. Yes, ma'am. They have a lot of T-shirts,
19 hoodies, belt buckles, jewelry, hats, tattoos. It's pretty
20 easy to spot one.

21 Q. Okay. And you mentioned support clubs. Can you
22 just tell us a little bit more about what a support club is,
23 and what their role is amongst the Bandidos.

24 A. It's just kind of part of what they call the
25 Bandido Nation. It's just kind of a force multiplier of

1 friendly clubs. They have officially sanctioned support clubs
2 where they'll have the same color scheme as the Bandidos, red
3 and gold, just switched in terms of what color writing is on
4 what background. But an officially sanctioned support club
5 actually has to purchase what they call a cookie or coaster
6 that, you know, states that they, you know, support the
7 Bandidos, and that money goes to the Bandidos treasury.

8 There are also some clubs that are friendly to the
9 Bandidos. They're not officially sanctioned support clubs, but
10 sometimes they'll put on a bar and shield, which anybody can
11 purchase on any cut. But it pretty much says okay, we're not
12 an official support club, but we support these guys.

13 Q. Okay. And through your investigation, have you
14 become aware that the Bandidos commit criminal activity?

15 A. Yes, ma'am.

16 Q. And what kinds of criminal activity have you seen
17 them participate in?

18 A. Murders, shootings, aggravated robbery,
19 aggravated assault, arson, narcotics trafficking, witness
20 tampering, intimidation, to name a few.

21 Q. Okay. And you mentioned it earlier, but -- or
22 you mentioned one rival, but do the Bandidos have a number of
23 rivals?

24 A. Yes, ma'am.

25 Q. Who are their rivals?

1 A. Traditionally, here in Texas, the Kinfolk, the
2 Mongols, the Brothers East, and the Homietos.

3 Q. Okay. I think you referred to the Brothers East
4 as B*EAST? That's correct?

5 A. Yes, ma'am.

6 Q. And why are the Bandidos and B*EAST rivals?

7 A. Ironical, that B*EAST was formed in 2015, kind of
8 under the umbrella and sponsorship of the Bandidos, and they
9 were very friendly at the time. Over time, the Bandidos began
10 to use B*EAST as kind of like an enforcer muscle group for
11 them, to help dominate the Houston area, and so that the
12 Bandidos could keep their hands clean, and basically kind of
13 used B*EAST as the muscle. Over time, B*EAST kind of got tired
14 of that, began feeling disrespected, and then wanted to be
15 their own. So they broke off, and that didn't go over too
16 well.

17 Q. And about when did that, those issues start?

18 A. We started -- or it started being reported to law
19 enforcement, the violence broke out in the 2019 timeframe.

20 Q. And what has been the outcome of that violence?

21 A. Multiple murders, shootings, assaults, robberies.

22 Q. As part of your investigation, did you become
23 familiar with an individual by the name of John Pfeffer?

24 A. Yes, ma'am.

25 Q. Is Mr. Pfeffer a Bandidos member?

1 A. Yes, ma'am.

2 Q. Was he a Bandidos member during the course of
3 your investigation?

4 A. Yes, ma'am.

5 Q. And how do you know that he's a Bandidos member?

6 A. Numerous ways. Traffic contacts, where he's
7 wearing his Bandidos cut, which spells it out, social media
8 photos, sources, interviews.

9 Q. And to your knowledge, how long has Mr. Pfeffer
10 been a member of the Bandidos?

11 A. We saw at a surveillance operation in September
12 of 2024 that he was just now wearing his five-year anniversary
13 patch, so I guess going on a little over five years.

14 Q. Okay. And do you, are you aware of an
15 organization he was a part of before the Bandidos?

16 A. Yes, ma'am.

17 Q. What was that?

18 A. The Mascareros Motorcycle Club, which is one of
19 their sanctioned support clubs.

20 THE COURT: What's the name?

21 OFFICER LYONS: The Mascareros, sir. I can spell
22 that, if they --

23 MS. BOWEN: Yeah, why don't you go ahead and spell
24 that for the court reporter.

25 OFFICER LYONS: No pressure. M-A-S-C-A-R-E-R-O-S. I

1 think so.

2 MS. BOWEN: Sounds right.

3 BY MS. BOWEN:

4 Q. Are you aware of any aliases that Mr. Pfeffer
5 goes by?

6 A. Yes, ma'am.

7 Q. And what are those?

8 A. Big John.

9 Q. Okay. And as of right now, what chapter is Mr.
10 Pfeffer a part of?

11 A. He's the chapter president of the Welcome to Hell
12 chapter.

13 Q. Okay. And are you aware of kind of the
14 reputation of the Welcome to Hell chapter?

15 A. Yes, ma'am.

16 Q. And what is that?

17 A. Formed to go after rivals of the Bandidos, and
18 kind of be a crew of hitters, so to speak.

19 Q. Okay. And do they have any other notable
20 reputation, other than violence?

21 A. Cocaine. Cocaine usage, and trafficking.

22 Q. Okay. And how did you come to learn all this?

23 A. Surveillance, traffic stops, controlled purchases
24 of narcotics, photos and text messages from cell phone exams
25 pursuant to search warrants.

1 Q. Okay.

2 MS. BOWEN: And Your Honor, at this time I am going
3 to begin admitting exhibits, and I have just a whole stack of
4 them. Is it okay if I approach the witness, and give him the
5 whole stack, subject to their admittance, of course, just so I
6 don't have to keep approaching?

7 THE COURT: Yes, that's fine.

8 BY MS. BOWEN:

9 Q. Okay. Officer Lyons, can you please look at
10 what's been marked as Government Exhibit 1?

11 A. Yes, ma'am.

12 Q. Do you recognize this photo?

13 A. Yes, ma'am.

14 Q. How do you recognize it?

15 A. It's a photograph of John Pfeffer, from his
16 Instagram page, on a run or a ride.

17 Q. And how do you know that that's Mr. Pfeffer?

18 A. From the investigation, I can recognize his face.
19 And just from the flare on his cut, of saying he's the
20 president of the Welcome to Hell chapter, which is what John
21 Pfeffer is.

22 Q. Okay.

23 MS. BOWEN: Your Honor, at this time the Government
24 would move to admit Government's Exhibit 1.

25 THE COURT: Any objections?

1 MR. WILLIAMS: Yeah, Judge, there's about 60
2 exhibits, none of which depict, for the most part, anything
3 criminal. So it's for purposes of streamlining this, it's
4 really not relevant. It's not a crime to be a member of the
5 Bandidos. And just pictures of our clients, with their
6 paraphernalia worn in public, isn't really relevant to the
7 decision Your Honor has to make. It's redundant, since there's
8 almost more than half of these pictures are just patches and
9 cuts.

10 THE COURT: Okay. So what's your objection?

11 MR. WILLIAMS: Relevance, and (indiscernible)

12 THE COURT: Overruled.

13 MS. BOWEN: Your Honor, I have a copy for the Court,
14 if you would like that.

15 THE COURT: Yes, please.

16 MS. BOWEN: Okay. I'll just pass it up.

17 THE COURT: Yes, you can hand it to Ms. Jones.

18 BY MS. BOWEN:

19 Q. Okay. And Officer Lyons, just taking a look at
20 this picture, you already mentioned that you recognize this
21 individual as Mr. Pfeffer. Can you walk us through some of the
22 patches and stickers that are present in this picture?

23 A. Yes. The two that stand out are -- one of them
24 is the Expect No Mercy, which John Pfeffer is very proud of in
25 his postings. The Expect No Mercy patch is an earned patch.

1 Not every Bandito can have it. It's a violent patch that you
2 earn from a significant act of violence against a rival.

3 Q. Okay. And what about this sticker on the side of
4 the helmet, that says Safari Team? What is that?

5 A. The Safari Team was a sticker that the Banditos
6 created specifically for B*EAST. The B*EAST symbol is a lion,
7 which when you go on a safari, you hunt lions. So if you have
8 the Safari Team, it means you hunt B*EAST.

9 Q. Okay. Now we have a video exhibit, it's
10 Government's Exhibit 2. Officer Lyons, before today, did I
11 show you a number of video exhibits?

12 A. Yes, ma'am.

13 Q. And did you recognize those videos?

14 A. Yes, ma'am.

15 Q. And how did you recognize them? Specifically,
16 the shorter videos of Mr. Pfeffer?

17 A. Videos from his Instagram or Snapchat.

18 Q. Okay. And you had seen those before?

19 A. Yes, ma'am.

20 Q. And you recognized Mr. Pfeffer in those videos?

21 A. Yes, ma'am.

22 Q. And were those obtained through public social
23 media (indiscernible)

24 A. Yes, ma'am, through our social media research and
25 investigation.

1 Q. Okay.

2 MS. BOWEN: Your Honor, at this time I'd move to
3 admit, just for the ease, Government's Exhibit 2 through 5.

4 MR. WILLIAMS: Objection, Judge. Irrelevant, it's
5 cumulative. They're not charged with being Banditos, they're
6 charged with racketeering, and (indiscernible)

7 THE COURT: I understand. But for purposes of this
8 hearing, the rules of evidence don't even apply. So the
9 objection is overruled, they'll be admitted for this hearing.

10 BY MS. BOWEN:

11 Q. Okay. Let's start with Exhibit 2.

12 MR. WAKEFIELD: Your Honor, can I move my client so
13 he can take a look at this? (indiscernible)

14 THE COURT: Yeah, it should be on the screen
15 (indiscernible) Okay.

16 MS. BOWEN: Do you have it? Do we have audio?

17 MR. BLACK: Yeah, just let me make sure I have the
18 audio working.

19 MS. BOWEN: Can I turn it up at all?

20 MR. BLACK: Yeah, it might need to be turned up on
21 the Court's end. I do have it (indiscernible)

22 MS. BOWEN: This one's a little better.

23 (Video plays)

24 (indiscernible)

25 (Video ends.)

1 MS. BOWEN: Okay. Thank you.

2 BY MS. BOWEN:

3 Q. And, Officer Lyons, in that video, who else do
4 you recognize, other than Mr. Pfeffer?

5 A. I saw David Vargas. I'd need to see it again, if
6 there was anyone else in there.

7 MS. BOWEN: Can we run it back one more time?

8 BY MS. BOWEN:

9 A. I see Mr. Rickenbacker, Bradley Rickenbacker.

10 Q. Okay. And do you recall when this video was
11 taken?

12 A. It was during a run. I don't recall the -- 2022,
13 I want to say?

14 MS. BOWEN: Okay. And if we can go to Government's
15 Exhibit 3?

16 (Video plays.)

17 (indiscernible)

18 (Video ends.)

19 BY MS. BOWEN:

20 Q. Okay. I think it just repeats from there. So
21 Officer Lyons, who is in that video?

22 A. That's John Pfeffer.

23 Q. Okay. And what is he wearing in that video?
24 What is the black vests?

25 A. Body armor.

1 Q. Okay. And what about that big necklace? Do you
2 recognize that?

3 A. That's an Expect No Mercy necklace, which is
4 pretty predominant in the Welcome to Hell Chapter members, of
5 the members that have earned it. Again, once you have earned
6 the Expect No Mercy from your significant act of violence
7 against a rival, you commonly see it. Well, actually, people
8 will have it on their cut, but Welcome to Hell predominantly
9 has medallions and T-shirts and hats.

10 Q. Okay. And just for the record, what is Mr.
11 Pfeffer pointing at the camera here?

12 A. It looks like a sawed-off shotgun, or a condensed
13 shotgun.

14 Q. Okay.

15 MS. BOWEN: I think we can go to Government's Exhibit
16 4.

17 (Video plays.)

18 MAN: We're out here doing gang shit.

19 MAN: Yeah.

20 MAN: Gang, gang, nigga.

21 (Video ends.)

22 BY MS. BOWEN:

23 Q. Okay. And do you recognize the individual in
24 that video?

25 A. John Pfeffer.

1 Q. Okay. And what is he saying in that video?

2 A. He's got several videos where he says they're out
3 doing gang stuff.

4 Q. Okay.

5 MS. BOWEN: I think we can go to Government Exhibit
6 Five.

7 (Video plays.)

8 (indiscernible)

9 (Video ends.)

10 BY MS. BOWEN:

11 Q. And in that video, is Mr. Pfeffer wearing his
12 cut?

13 A. Yes, ma'am.

14 Q. And is he wearing various Expect No Mercy
15 paraphernalia?

16 A. He's got it on the cut, and on his medallion.

17 Q. Okay. All right. And moving on slightly, as
18 part of your investigation, did you also become familiar with
19 an individual by the name of Bradley Rickenbacker?

20 A. Yes, ma'am.

21 Q. And is Mr. Rickenbacker a Bandito member?

22 A. Yes, ma'am.

23 Q. Do you know what chapter he's a part of?

24 A. The Welcome to Hell chapter.

25 Q. Does he hold a position within that chapter?

1 A. Last we had seen, he was the secretary-treasurer.

2 Q. Okay. And if you'll look at your stack of photos
3 there, at Government's Exhibit 6, do you recognize that photo?

4 A. Yes, ma'am.

5 Q. Do you recognize the individual in that photo?

6 A. Yes, ma'am.

7 Q. And who is that?

8 A. Bradley Rickenbacker.

9 Q. How do you know?

10 A. From surveillance, interviews, contact, personal
11 contact.

12 MS. BOWEN: Your Honor, at this time we'd move to
13 admit Government's Exhibit 6 into evidence.

14 MR. DEGUERIN: Judge, if I may take him on a short
15 voir dire, just a question about this, where, when, what time,
16 where it came from. I would object to the admission of it,
17 because we don't have, there's no -- He has not established how
18 he got this, where he obtained it.

19 MS. BOWEN: Oh. I can ask follow-up.

20 THE COURT: The rules of evidence (indiscernible)
21 they don't apply here. We're going to go ahead, and if that's
22 your only objection, that there's some kind of privilege or
23 something, then I'm going to overrule it, because the rules of
24 evidence don't apply in these proceedings.

25 MR. DEGUERIN: Okay.

1 THE COURT: And you'll have a chance to cross.

2 MR. DEGUERIN: Understood.

3 MS. BOWEN: And I have a copy for the Court, Your
4 Honor.

5 THE COURT: All right. They will be admitted for the
6 purpose of this hearing.

7 BY MS. BOWEN:

8 Q. All right. Officer Lyons, looking back at that
9 Government's Exhibit 6, in this photo, you already mentioned
10 that you recognize this individual as Rickenbacker. Can you
11 tell us a little bit about the patches on his cut?

12 A. Just his secretary rank, Welcome to Hell, the
13 Expect No Mercy, which is the earned violence patch, the
14 Hustletown side rocker, which is kind of the nickname for the
15 Welcome to Hell, Hustletown.

16 Q. And before becoming a Bandito member, was Mr.
17 Rickenbacker part of another club?

18 A. Yes, ma'am.

19 Q. Which club was that?

20 A. The Mascareros as well.

21 Q. Do you recall when Mr. Rickenbacker became a
22 member of the Banditos?

23 A. It was when the Welcome to Hell chapter formed
24 and John Pfeffer was promoted to its chapter president, and he
25 pulled over some Mascareros to be probationary members of

1 Welcome to Hell. That would have been September of 2021.

2 Q. Okay. If you'll just look at Government's
3 Exhibit 7, do you recognize this document?

4 A. Yes, ma'am.

5 Q. And what is this document?

6 A. It's standard procedure for Banditos coming in to
7 fill out this paperwork of a prospective member profile, where
8 you are basically providing information about yourself, contact
9 information, information on your history in motorcycle clubs,
10 motorcycle gangs, criminal history, contact information. And
11 you also basically sign over, if you're booted out in bad
12 standing, that you have to give your motorcycle to the club.
13 But basically, this is where they use to do a background
14 investigation on you.

15 Q. Okay. And have you seen this document
16 previously?

17 A. Yes, ma'am.

18 Q. Where did this document come from?

19 A. A search warrant, a federal search warrant out in
20 Albuquerque, New Mexico.

21 Q. Okay. And I guess, is this a fair and accurate
22 copy of the document that you obtained during that search
23 warrant?

24 A. Yes, ma'am.

25 Q. Okay.

1 MS. BOWEN: Your Honor, at this time we'd move to
2 admit Government's Exhibit 7.

3 THE COURT: Any objection?

4 MR. DEGUERIN: Just more of a clarification, Judge.
5 I understand you're admitting them for the purposes of this
6 hearing. This document has identifying characteristics of my
7 client, so it needs to be sealed if you're going to admit it.
8 I don't know if it's going to be public record, or what the
9 intention is for all these exhibits, but this has specifically
10 got -- Either it needs to be --

11 THE COURT: Redacted?

12 MR. DEGUERIN: -- redacted, yeah, or it needs to be
13 sealed under proper -- or admitted under seal.

14 THE COURT: Can you just describe what's in there so
15 we don't have to admit this exhibit?

16 MS. BOWEN: Sure. And we have another similar one
17 coming up later, and we'll do the same thing.

18 THE COURT: Is that sufficient?

19 MS. BOWEN: I think that's sufficient.

20 THE COURT: Okay.

21 BY MS. BOWEN:

22 Q. So officer Lyons, looking at Government's Exhibit
23 7, can you just tell us, looking at this document, who is the
24 Bandito member that brought Mr. Rickenbacker into the
25 organization?

1 A. John Pfeffer.

2 Q. And does this document tell you what Mr.
3 Rickenbacker's alias or road name is?

4 A. Yes, ma'am.

5 Q. And what is that?

6 A. Dolla Bill. Okay. And --

7 THE COURT: What's his name? I didn't hear.

8 OFFICER LYONS: Dolla, like, kind of like dollar,
9 sir, but spelled D-O-L-L-A, like slang.

10 THE COURT: Okay.

11 MS. BOWEN: Okay. And I think that's the relevant
12 information on there. Your Honor, does the Court want a copy
13 if we're not admitting it?

14 THE COURT: No.

15 MS. BOWEN: Okay.

16 BY MS. BOWEN:

17 Q. Okay. Officer Lyons, if you will just look at
18 Government's Exhibit 8 -- Do you have that up there?

19 A. Yes, ma'am.

20 Q. Okay. And do you recognize that picture?

21 A. Yes, ma'am.

22 Q. How do you recognize that?

23 A. That's the Instagram account of Bradley
24 Rickenbacker. It's a photo from it.

25 Q. Okay. And was this photo obtained just by a

1 public search of social media?

2 A. From our social media research, yes, ma'am.

3 Q. Okay.

4 MS. BOWEN: Your Honor, at this time we'd move to
5 admit Government's Exhibit 8 into evidence.

6 MR. DEGUERIN: And we'll just have a running
7 objection to the (indiscernible)

8 THE COURT: The relevance?

9 MR. DEGUERIN: -- the irrelevance of --

10 THE COURT: So noted, and that will be overruled.
11 But thank you.

12 BY MS. BOWEN:

13 Q. And Officer Lyons, looking at Government Exhibit
14 8, do you recognize individuals in that picture?

15 A. Yes, ma'am.

16 Q. Who do you recognize?

17 A. Of those that are indicted in this Bandidos case
18 would be front row, center, his face, is Darvi Hinojosa, from
19 the Welcome to Hell chapter, Bradley Rickenbacker, John
20 Pfeffer.

21 Q. Okay. And now switching gears a little bit,
22 through your investigation, did you become aware of an incident
23 that took place on September 26th, 2020?

24 A. Yes, ma'am.

25 Q. And where did that occur?

1 A. At the Hawg Stop Bar & Grill, in Houston, Harris
2 County.

3 Q. Okay. And just briefly, can you give us a
4 summary of what happened there?

5 A. There was a Miss Hawg Stop bikini motorcycle
6 washing contest being held there. It's pretty much a biker
7 bar. Some B*EAST members had showed up there to watch it. A
8 Bandito member arrive, and saw them, and made a series of
9 phone calls, advising numerous ranking Banditos of the B*EAST
10 presence. Once the Banditos had a numerical advantage, they
11 confronted the B*EAST members about being there. There was
12 what looked like a semi-peace agreement reached to everyone to
13 just kind of stay your distance, and B*EAST agreed to leave
14 when the contest was over. About an hour later, John Pfeffer
15 and another Bandidos member arrived. Mr. Pfeffer re-confronted
16 B*EAST, and initiated a fight that resulted in the shooting
17 death of a B*EAST member.

18 Q. Okay. And did you obtain surveillance footage
19 from The Hawg Stop?

20 A. Yes, ma'am.

21 Q. From viewing this footage, were you and other
22 members of your investigative team able to identify Banditos,
23 B*EASTs, and Mascareros members arriving?

24 A. Yes, ma'am.

25 Q. And about how many, you may have said this

1 already, I apologize, how many B*EAST members were there?

2 A. Just three.

3 Q. Okay. And just briefly, did you -- What Bandidos
4 and Mascareros members did you recognize in the footage?

5 A. Bandidos members, just throughout the -- well,
6 during the incident and throughout was Bandidos, John Pfeffer,
7 Roy Gomez, he goes by Repo, Marky Baker, goes by Guero, Ronnie
8 McCabe, goes by Meathead. Mascareros members, Marcel Lett.
9 Bradley Rickenbacker was there. He was a Mascareros member at
10 the time. He wasn't yet a Bandito. Mascareros member Jeremy
11 Cox, goes by J.D., just to name a few.

12 Q. And -- yeah, that's fine. And what was Mr.
13 Pfeffer's rank within the Banditos at this time?

14 A. He was still, he was a sergeant at arms over the
15 Central Houston chapter.

16 Q. Okay. So he wasn't yet president of the Welcome
17 to Hell chapter?

18 A. No, ma'am.

19 Q. Had the Welcome to Hell chapter been formed at
20 that point?

21 A. No, ma'am.

22 Q. So I think we're going to show -- Well, you've
23 seen all the surveillance footage, you've seen the clip we went
24 over previously, Government's Exhibit 9, just a shortened clip
25 of the surveillance footage. Is that correct?

1 A. Yes, ma'am.

2 Q. And is it a fair and accurate depiction of the
3 surveillance footage from that night?

4 A. Yes, ma'am.

5 Q. Okay.

6 MS. BOWEN: Your Honor, at this point, we would
7 admit, move to admit Government's Exhibit 9 into evidence.

8 THE COURT: Subject to your same objection,
9 overruled, and submitted.

10 MS. BOWEN: And we're going to start, for the record,
11 at the time being, on the bar at the bottom, 3:05:09, and the
12 time that's easier to see, up at the top is 19:47:02.

13 BY MS. BOWEN:

14 Q. Okay. So Officer Lyons, is this The Hawg Stop?

15 A. Yes, ma'am.

16 Q. Okay. And I'm going to pause right there real
17 quick. And kind of up in the -- towards the right, in the
18 middle, up top, what's going on there?

19 A. The three B*EAST members were sitting at that
20 table that's right there on the edge of the pavilion, and they
21 had been at that table pretty much all night, and hadn't left.
22 A group comes from the back side of The Hawk Stop -- And again
23 there are other camera angles where things are closer and
24 clearer. The first individual to come up was John Pfeffer, and
25 he was followed by a group of Bandidos and Mascareros.

1 Q. Okay. And just to clarify, you said there's
2 other angles of this video, so you were able to identify other
3 individuals by kind of piecing together those angles?

4 A. Yes, ma'am.

5 Q. Okay. So we'll play again, we're at 19:47:09.
6 Who are these individuals coming out here, at this point?

7 A. John Pfeffer, Roy Gomez, Jeremy Cox, Marky Baker,
8 a deceased member now, Arvin Bartlett, Texas Josh.

9 Q. Okay.

10 A. And then --

11 Q. And sorry, we'll pause right here, at 19:47:30.
12 These individuals that are kind of walking away from the crowd,
13 who is that?

14 A. That's John Pfeffer, and what would ultimately be
15 the B*EAST member who was assaulted and shot and killed.

16 Q. Okay. And we can play again. And at this point,
17 what does it appear that Pfeffer and the victim are doing?

18 A. They're talking.

19 Q. Okay. And they're kind of off in a corner?

20 A. Yes, ma'am.

21 Q. And what are the other identified B*EAST and
22 Mascarero members doing at this time?

23 A. The other B*EAST and Mascareros are kind of
24 grouped up, ready to respond if anything happens. The other
25 two B*EAST members are standing kind of under the portico,

1 watching, which is standard. You know, everybody's going to
2 wait and see what happens.

3 Q. Okay. And are they just still talking down
4 there?

5 A. Yes, ma'am.

6 Q. Just Mr. Pfeffer and the victim?

7 A. Yes, ma'am.

8 Q. And we'll actually just pause right there real
9 quick. I'm going to try to figure out how to relay this. Of
10 those two individuals talking right there, which one is Mr.
11 Pfeffer, and which one is the B*EAST member?

12 A. The B*EAST member is on the right, as we're
13 looking at the screen. He's wearing his B*EAST cut. John
14 Pfeffer is on the left, wearing a ball cap.

15 Q. Okay. Thank you. You can play again. Thank
16 you. All right. And we'll pause right there, at 19:48:33.
17 What just happened?

18 A. John Pfeffer struck the B*EAST member with a
19 right punch or strike of some kind.

20 Q. Okay. We can play again. All right. And what
21 are the other B*EAST -- or sorry, excuse me, Bandidos and
22 Mascarero members doing at this time?

23 A. Well, John Pfeffer sets his cup down, they kind
24 of square off for a minute, or for a few seconds, and everyone
25 is kind of waiting to see if they get back into it. Once they

1 do, the B*EAST -- I'm sorry, the Bandidos and the Mascareros
2 bomb rush the B*EAST Member. One of the other B*EAST Members
3 is being chased inside at the time, kind of put out of the
4 fight. The only remaining B*EAST Member tries to come to the
5 other B*EAST member's aid. The Bandidos and Mascareros split
6 up, and engage in two different assaults of the B*EAST members,
7 of the two remaining B*EAST members.

8 Q. Okay. So now if you'll look at what you have up
9 there is Government's Exhibits 10, 11, and 12, if you can just
10 flip through those? Do you recognize those photos?

11 A. Yes, ma'am.

12 Q. And where are those photos from?

13 A. They are from a -- from a photographer that
14 happened to be there, and when he saw what was going on, he
15 started snapping pictures.

16 Q. And those are photos from September 26th, 2020,
17 at The Hawg Stop?

18 A. From -- yes. It's from the assault in progress.

19 Q. Okay. And are those a fair and accurate
20 depiction of the photos that you obtained from that witness?

21 A. Yes, ma'am.

22 Q. Okay.

23 MS. BOWEN: Your Honor, at this time we'd move to
24 admit Governments Exhibit 10, 11, and 12.

25 MR. DEGUERIN: Same objection.

1 THE COURT: Yes, overruled. They're admitted.

2 MS. BOWEN: Okay. And Your Honor, I have a copy for
3 the Court as well.

4 THE COURT: Thank you.

5 BY MS. BOWEN:

6 Q. Okay. And Officer Lyons, just looking at those
7 photos, looking at Government Exhibit 10, I know it's a little
8 bit zoomed out, but who is in this scrum, I guess, this
9 assault?

10 A. You want me to identify them?

11 Q. Identify the indicted individuals. How about
12 that?

13 A. Black shirt on the far left is Jeremy Cox. Black
14 male, green shirt, Marcel Lett. That's Arvin Bartlett, Texas
15 Josh. He's now deceased. John Pfeffer, who's kind of bent
16 over, with his hands on the cut of the victim. Marky Baker
17 laying on top of the victim, and Roy Gomez, Hispanic, with the
18 bald head.

19 Q. Okay. And that kind of blurry figure on the
20 ground there, is that the victim?

21 A. Yes, ma'am.

22 Q. Okay. And looking at Government's Exhibit 11,
23 are those same individuals pictured there?

24 A. Yes, ma'am.

25 Q. And is Mr. Pfeffer in that picture?

1 A. Far left, gray shirt.

2 Q. And does it appear that he's engaged in that
3 assault?

4 A. Yes, ma'am.

5 Q. Okay. And then looking over at Government's
6 Exhibit 12, are those the same individuals pictured there?

7 A. Yes, ma'am.

8 Q. And what does it appear that Mr. Pfeffer is doing
9 at this point in the assault? I know it's a little blurry, but
10 if you're able to tell us.

11 A. Trying to rip off the victim's cut, which is a
12 common thing to do during these assaults, and part of the war
13 they're engaged in is stealing rival cuts.

14 Q. Okay. And why is that?

15 A. Well, it's -- In the motorcycle world, your cut
16 is pretty much everything. You've earned it, it's your
17 identity. You're not supposed to give it up at all, ever. And
18 when you take another club's, it's the ultimate sign of
19 domination. Typically, they'll keep it, burn it, cut off
20 patches, wear them on the inside of theirs, or hang them up as
21 a -- It's basically a trophy of, look what I got.

22 Q. Okay. What was the result of that assault
23 initiated by Mr. Pfeffer?

24 A. The victim, the B*EAST member, was shot in the
25 back five times, and once in the front.

1 Q. And actually, during the assault on the victim,
2 did Mr. Pfeffer sustain injuries as well?

3 A. He received a bullet wound. I believe it was to
4 his right arm.

5 Q. And did he seek medical attention for that?

6 A. Yes, ma'am.

7 Q. Did you actually receive information that
8 multiple of the Banditos involved in that assault were carrying
9 firearms?

10 A. Yes, ma'am.

11 Q. Were you able to determine that multiple firearms
12 were discharged that evening?

13 A. Yes, ma'am.

14 Q. Now, while that, for lack of a better term, main
15 fight was going on, where was Mr. Rickenbacker?

16 A. When there was the -- as I testified to, like the
17 bomb rush towards the initial B*EAST victim, the other B*EAST
18 victim, the one who was not shot and killed, as he was running,
19 a group broke off. Mr. Rickenbacker was part of that group,
20 and went after that B*EAST member over in the ditch. You can
21 see it initially on the camera view, and then it falls, like,
22 off the bottom of the screen, so to speak, and you can't see it
23 anymore.

24 Q. So how do you know that he was involved in that
25 assault and robbery?

1 A. From all the camera angles. You see him walking
2 out, and then he picks up his speed, and runs right at that
3 B*EAST member, towards the ditch.

4 Q. And were witnesses able to tell you that as well?

5 A. Yes, ma'am.

6 Q. Okay. Was the other B*EAST member's cut, or
7 shirt or something stolen as a result of that fight?

8 A. He was in a soft cut.

9 Q. Just tell us briefly what that is.

10 A. It's a t-shirt that basically has the design of a
11 cut on there. Because he had been in a vehicle. Motorcycle
12 gangs don't wear cuts in vehicles, but you can wear a soft cut.
13 It's basically like a cut. It's just a t-shirt.

14 Q. And I'm sorry if you said it, but was that soft
15 cut stolen that night?

16 A. Yes, it was ripped off of him.

17 Q. Okay. And now switching gears to May 13, 2021,
18 are you aware of an incident that occurred on that day?

19 A. Yes, ma'am.

20 Q. And just in summary, what happened?

21 A. There was a card game, which is slang in the
22 motorcycle community for a meeting, these mandatory meetings
23 that they have, being held at the Glamour Girls Strip Club off
24 of Hempstead in Houston, Harris County. A group of Banditos
25 from the Central Houston, and the Northwest chapter and some

1 Mascareros had stopped at a Shell station off of 290 to fuel up
2 and get cigarettes, etc. Just inadvertently, a B*EAST member
3 wearing his cut drives by and stops at the stoplight. A
4 Bandito, a Mascarero, and a SUV give chase, and the B*EAST
5 member is shot in the back, and killed.

6 Q. Okay. And did police officers respond to this
7 incident?

8 A. Yes, ma'am.

9 Q. And did they respond at -- Did you mention where
10 the card --

11 A. The Glamour Girls.

12 Q. Okay. Glamour Girls.

13 A. Glamour Girls, yes, ma'am.

14 Q. Okay. So the officers responded to Glamour
15 Girls?

16 A. Yes. They were able to locate the pack of
17 Bandidos and Mascareros in the parking lot of the Glamour
18 Girls, and initiated an investigative stop.

19 Q. Okay. And was Mr. Rickenbacker at that location?

20 A. Yes. He was driving the white SUV.

21 Q. And was that one of the ones that gave chase to
22 the B*EAST member?

23 A. Yes.

24 Q. And now, you kind of mentioned, you said
25 inadvertent. So was this a planned attack, was it spontaneous?

1 A. It looked spontaneous. You know, there had
2 already been an order given out to clean your backyard from a
3 B*EAST member. So once an order like that is passed, it
4 doesn't always have to be given, so it's when you see them
5 move, when you see them move. So when they saw one, they
6 moved.

7 Q. And you said the order doesn't always have to be
8 given. Is that an order that, through your investigation, you
9 find is still in effect?

10 A. Yes, ma'am.

11 Q. So if a Bandito were to see a B*EAST member drive
12 by, the expectation is that they go after them?

13 A. Yes, ma'am.

14 Q. And during this encounter with Mr. Rickenbacker,
15 did he have a gun on him?

16 A. Yes, ma'am.

17 Q. But was it determined that Mr. Rickenbacker's gun
18 was not used to shoot that B*EAST member?

19 A. Yes, ma'am, at this time.

20 Q. And now --

21 MR. DEGUERIN: (indiscernible) I'm sorry, what was
22 the date?

23 MS. BOWEN: May --

24 OFFICER LYONS: May 13th, sir, of 2021.

25 BY MS. BOWEN:

1 Q. Okay. I'm moving on to February 23rd, 2023. Did
2 an incident occur at the Bimbo's Bar and Grill on that night?

3 A. Yes, ma'am.

4 Q. And how did you first hear about this incident?

5 A. It was reported to us by witnesses.

6 Q. And just in summary, what did you hear happened
7 that night?

8 A. The Bandidos were holding a regional card game,
9 which is pretty much every chapter in their region. So from
10 our investigation, that was 17 chapters that had RSVP'd for
11 this card game. It was supposed to be held at a bar, another
12 bar, then it got moved to Bimbo's. And the Grey Beards
13 Motorcycle Club, which is one of those friendly clubs I
14 testified to earlier that's not an official support club, but
15 it kind of rides with and hangs with the Bandidos, some members
16 wear the shield showing support, they were ordered to attend in
17 order for the Banditos to address an issue they had with the
18 Grey Beards.

19 Q. And did you obtain surveillance footage from the
20 Bimbo's Bar and Grill?

21 A. Yes, ma'am.

22 Q. Okay. And have you reviewed this footage?

23 A. Yes, ma'am.

24 Q. And have you reviewed a kind of shortened clip of
25 this footage in preparation for today?

1 A. Yes, ma'am.

2 Q. Is it a fair and accurate depiction of the
3 surveillance footage?

4 A. Yes, ma'am.

5 Q. Okay.

6 MS. BOWEN: Your Honor, at this time we would move to
7 admit Government's Exhibit 13.

8 THE COURT: It's admitted, subject to their same
9 objection.

10 MS. BOWEN: Okay. And we're going to start that, for
11 the record, at 1:43. We can play that.

12 BY MS. BOWEN:

13 Q. Officer Lyons, is this the Bimbo's?

14 A. Yes, ma'am.

15 Q. Okay. You can pause it right there. Yeah, you
16 can pause it right there, at 1:47.

17 We're looking kind of in the, I guess, right-middle
18 of this footage. Can you just describe to us what is, through
19 your investigation you've come to realize, going on back behind
20 this shed area?

21 A. Yes, ma'am. A group of Banditos, to include many
22 Welcome to Hell members, were talking to the Grey Beards around
23 that corner. And then, as you'll see in the video, a fight
24 breaks out, and the Grey Beards members are assaulted and
25 robbed.

1 Q. And are you able to see the entirety of the
2 fight?

3 A. You can't see everything, but you can see cuts
4 being taken from the group, and thrown into a trash can.

5 Q. And you can kind of see, like, a melee of sorts
6 going on back there?

7 A. Yes, ma'am. A scuffle, yes, ma'am.

8 Q. Okay. So we'll play that again, and you can see
9 the melee going on back there. Is that correct?

10 A. Yes, ma'am.

11 Q. And actually, we'll pause it right here, at 2:12.

12 You see somebody kind of run around the corner here.
13 Were you able to identify who that individual was? And he
14 gets, like, stopped, it appeared?

15 A. Yes, ma'am. That was the owner/manager of
16 Bimbo's. He was going back to try to stop the fight, and the
17 Bandidos wouldn't let him.

18 Q. Okay. And we can play again.

19 And what's happening at this point in the video?

20 A. They're keeping him from going back to stop it,
21 until the deed is done. And then it looks like it's pretty
22 much wrapping up in the back, and the cuts from the Grey Beards
23 are being put into a trash can.

24 Q. Okay. We can -- Do you want to fast forward a
25 little bit, for the sake of time? Okay. And what's happening

1 at this point in that back area?

2 A. One of the highest ranking members there by the
3 name of Michael Dunphy, the national sergeant at arms, comes
4 out, gives a hand signal like, hey, let's -- pretty much let's
5 go, and then the Banditos proceed to leave. Or they start to
6 leave.

7 Q. You can pause it there, at 3:56.

8 At this point, this group walking out, were you able
9 to identify anybody in that group?

10 A. Yes, John Pfeffer, and other Welcome to Hell
11 members, Welcome to Hell chapter members.

12 Q. Okay. And you can play it again -- and just
13 pause it right there.

14 Do you see Mr. Pfeffer in that group?

15 A. Yes, ma'am.

16 Q. And thought it's kind of hard to differentiate
17 from up there, without a pointer or something, but are you able
18 to indicate which individual in that group is Mr. Pfeffer?

19 A. Yeah, I'm trying to think of how to describe it.
20 If you see the group that's kind of up against what looks like
21 the wall, there's two guys right there. He's on the right.

22 Q. Okay. And we can play that again.

23 A. And there's a gap, and then more -- okay.

24 Q. Okay. Yeah, we can play that again. And pause.
25 Is he more easily recognizable in that paused frame?

1 A. he's right there -- he's right to the left of
2 that, what looks like a pole.

3 Q. Okay.

4 A. Wearing a hat.

5 Q. Okay. I think we can stop it there, at 4:08.

6 Did you also get a cell tower dump to identify known
7 numbers in the area of Bimbo's at that time?

8 A. Yes, ma'am.

9 Q. And what did that tell you?

10 A. It showed what we knew from the video, and
11 witnesses, but that John Pfeffer and Bradley Rickenbacker were
12 present.

13 Q. Among other Banditos as well?

14 A. Among -- amongst dozens of other Banditos.

15 Q. And did you also identify some of the Grey Beard
16 victims involved?

17 A. Yes, ma'am.

18 Q. And did you interview some of those victims?

19 A. Yes, ma'am.

20 Q. And just generally, what did the Grey Beards tell
21 you happened that night?

22 A. That they were ordered to go to this meeting,
23 they were told to kind of empty out for any weapons and phones,
24 and then go basically be confronted about the issue the
25 Banditos had with them making a separate peace agreement, and

1 being friendly with B*EAST, which wasn't okay with the
2 Banditos.

3 Q. And how many Grey Beards were present?

4 A. From -- well, 14.

5 Q. Fourteen?

6 A. Yes, ma'am.

7 Q. And about how many Banditos were present at the
8 bar in general, and then also in that back area where the fight
9 occurred?

10 A. Probably over 30 in the back where the fight
11 occurred, and over 50 total.

12 Q. Okay. And in that back area, were you told that
13 most of the individuals back there were from a certain chapter?

14 A. Yes, ma'am, the Welcome to Hell.

15 Q. And did someone actually identify Mr. Pfeffer as
16 the Welcome to Hell president speaking to the highest ranking
17 Grey Beard there?

18 A. Yes, ma'am.

19 Q. And I think you mentioned cuts being stolen. Did
20 any of the Grey Beards have other things stolen from them,
21 maybe that were in their cuts or something?

22 A. Many of them had their car keys, wallets that had
23 cash, credit cards, other -- you know, Social Security cards.

24 Q. And did some of the Grey Beard victims have to
25 seek medical attention?

1 A. Yes, ma'am.

2 Q. And were you able to ascertain that by actually
3 subpoenaing those medical records?

4 A. Yes, ma'am.

5 Q. Did one of the Grey Beards have a fractured arm?

6 A. Yes, ma'am.

7 Q. And in addition to that, what other injuries did
8 you see?

9 A. Concussion-type injuries, staples to lacerations
10 caused by blunt force to the head and the face.

11 Q. And I think you mentioned it, but you know, we
12 talked about Mr. Pfeffer being there, but was Mr. Rickenbacker
13 there as well?

14 A. He was present at Bimbo's, yes, ma'am.

15 Q. Just not on that -- You couldn't identify him on
16 that security footage in the back?

17 A. In the back, we could not see him.

18 Q. Okay. And after the assault, did a picture of
19 the Grey Beard cuts circulate amongst the Banditos?

20 A. Yes, ma'am.

21 Q. And looking at Government's Exhibit 14, do you
22 recognize this photo?

23 A. Yes, ma'am.

24 Q. And where was this photo obtained from?

25 A. Through sources of information, and cellular

1 phone forensic exams, pursuant to search warrants.

2 Q. And is this a fair and accurate representation of
3 the photo that was obtained?

4 A. Yes, ma'am.

5 MS. BOWEN: Your Honor, at this time we'd move to
6 admit Government's Exhibit 14.

7 THE COURT: It's admitted, subject -- Overruling the
8 relevance objection, it's admitted.

9 MS. BOWEN: Okay. And I have a copy for the Court.

10 BY MS. BOWEN:

11 Q. Officer Lyons, what does this picture show?

12 A. Fourteen Grey Beards cuts laying on the floor of
13 a garage that we identified as belonging to now deceased
14 Bandidos member William Kinison, aka Tigger. And Bradley
15 Rickenbacker's motorcycle is parked next to these stolen cuts.

16 Q. And how do you know that's his motorcycle?

17 A. Surveillance photos of him and his motorcycle.

18 Q. And are you aware of where these cuts are in this
19 photo?

20 A. Where they are now?

21 Q. Well, I guess then and now.

22 A. Well, then, I'm sorry, again, in the garage of
23 deceased member William Kinison, of the Central Houston
24 chapter. And we were told that they were destroyed.

25 Q. Okay.

1 THE COURT: You said these were stolen cuts?

2 OFFICER LYONS: Yes, sir. These are the ones they
3 robbed from the Grey Beards at the Bimbo's bar.

4 THE COURT: Oh, at that bar?

5 OFFICER LYONS: Yes, sir.

6 THE COURT: Okay. All right.

7 MS. BOWEN: Sorry, Your Honor.

8 BY MS. BOWEN:

9 Q. And so these have been identified as the Grey
10 beard cuts taken that night?

11 A. Yes, ma'am. And the date on the photo is the day
12 after -- or actually, just a few hours after the assault took
13 place.

14 Q. Okay. And that's February 24th, 2023, at 2.43
15 a.m.?

16 A. Yes. And the assault took place approximately
17 9:00, 10:00 on the 23rd.

18 Q. Okay. Now moving on, on May 3rd, 2024, were you
19 made aware that Mr. Pfeffer had sent threatening messages to
20 someone he believed to be a cooperating witness?

21 A. Yes, ma'am.

22 Q. Did he send those threats over Snapchat?

23 A. Yes, ma'am.

24 Q. And were you actually able to see the messages
25 that were sent?

1 A. One of them, yes, ma'am.

2 Q. And why weren't you able to see the others?

3 A. It appears that they were deleted by Mr. Pfeffer.

4 Q. And in those messages, did Mr. Pfeffer indicate

5 to the victim that the Banditos knew --

6 MR. WAKEFIELD: Your Honor, I would object to

7 leading. I mean (indiscernible)

8 THE COURT: What did he say?

9 MS. BOWEN: Okay, yeah.

10 THE COURT: It's sustained.

11 MR. WAKEFIELD: (indiscernible) if we have a message

12 that would also be the best evidence, rather than a lead

13 (indiscernible)

14 THE COURT: Sustained as to lead.

15 MS. BOWEN: We don't. They were deleted.

16 BY MS. BOWEN:

17 Q. Okay. Officer Lyons, what did the message say?

18 A. The first message was just kind of like, oh, you

19 know, like, what are you doing? And then followed up by, we

20 know that you're cooperating, and we know where you are, and

21 we're going to get you.

22 Q. Okay. And now moving on again, are you familiar

23 with an incident that occurred on -- we're actually going to go

24 back in time, November 2nd, 2021?

25 A. Yes, ma'am.

1 Q. And how are you familiar with that incident?

2 A. There was a murder, a shooting that night between
3 Bandidos and B*EAST.

4 THE COURT: What was that date?

5 OFFICER LYONS: November 2nd of 2021, sir.

6 THE COURT: Okay.

7 BY MS. BOWEN:

8 Q. And did you speak to former B*EAST members about
9 that night?

10 A. Yes, ma'am.

11 Q. And what did they tell you happened?

12 A. So from the totality of our investigation, in
13 summary, B*EAST had held an event at their clubhouse in
14 Channelview, over on Dell Dale Street. After their meeting was
15 over, many of them went to the Blue Bayou Café further west on
16 I-10 to eat. Some went in vehicles, some went on motorcycles.
17 After they got done eating, they went out into the parking lot,
18 the vehicles left, the three B*EAST members on their respective
19 motorcycles smoked a cigarette, talked a little bit, and then
20 when they left in a group, when they pulled onto the I-10
21 feeder road, a black SUV came up behind them and opened fire,
22 resulting in the shooting death of one B*EAST member, and the
23 wounding by shooting of two other B*EAST members.

24 Q. Okay. And did one -- So you mentioned one of the
25 B*EAST members died as a result of that. What was the outcome

1 for the other B*EAST members?

2 A. Shot and wounded, but lived.

3 Q. Was a witness able to identify any of the
4 individuals in the vehicle?

5 A. Yes, ma'am.

6 Q. And who did they identify?

7 A. The Defendant, David Vargas.

8 Q. Did the witness also do a double-blind photo
9 line-up?

10 A. Yes, ma'am.

11 Q. And who did they identify in that lineup?

12 A. David Vargas.

13 Q. Did you also obtain call detail records from Mr.
14 Vargas?

15 A. Yes, ma'am.

16 Q. And what do those records show you?

17 A. That he was right in the area of where the
18 shooting took place, right before the shooting took place.

19 Q. Okay. And because I went a little out of order
20 here, I guess I should have asked you, are you familiar with
21 the Defendant, David Vargas?

22 A. Yes, ma'am.

23 Q. And is he a Bandido member?

24 A. Yes, ma'am.

25 Q. What chapter is he a member of?

1 A. The Welcome to Hell chapter.

2 Q. Do you know if he holds a position in the
3 chapter?

4 A. I never heard that he had rank.

5 Q. And before becoming a Bandido, was Mr. Vargas a
6 member of any other motorcycle clubs?

7 A. Definitely of the Mascareros. I think he had
8 been with the Los Hermanos for some time, or for a short time
9 before the Mascareros. But his last motorcycle club, and
10 support club was the Mascareros.

11 Q. And did he have an alias that he went by?

12 A. He had a few.

13 Q. And what were those?

14 A. First Time or Brake Check.

15 Q. And do you recall when Mr. Vargas became a member
16 of the Bandidos?

17 A. It was the same time -- well, it was when the
18 Welcome to Hell was formed, he was brought in as a probationary
19 member. So that was September of 2021.

20 Q. And was he brought in by Mr. Pfeffer?

21 A. John Pfeffer, yes, ma'am.

22 Q. Okay. And we'll go back in time again. So
23 following this incident on November 2nd, 2021, was Mr. Vargas's
24 phone seized pursuant to a valid search warrant?

25 A. I'm sorry, what was the date, ma'am?

1 Q. Following the November 2nd, 2021 incident.

2 A. Oh, yes, ma'am. Yes, ma'am.

3 Q. And was that -- Do you recall when that was
4 seized?

5 A. I don't recall the date of his arrest, but it was
6 in December of 2021, I believe, when he was arrested on a state
7 murder warrant.

8 Q. Okay. And did you review the contents of that
9 phone?

10 A. Yes, ma'am.

11 Q. And if you'll just look at Government's Exhibit
12 16, and briefly read through that. Do you recognize this
13 document?

14 A. Yes, ma'am.

15 Q. And what is it?

16 A. These are just clips of various chat application
17 messages from David Vargas' phone, pursuant to the search
18 warrant for a forensic exam.

19 Q. Okay. And is this a fair depiction of those -- I
20 guess the extraction from that phone, the clips of it?

21 A. Yes, ma'am.

22 MS. BOWEN: And Your Honor, at this time we'd moved
23 to admit Government's Exhibit 16.

24 THE COURT: It's admitted over Defendants' running
25 objection.

1 MS. BOWEN: And Your Honor, I have a copy for the
2 Court as well.

3 BY MS. BOWEN:

4 Q. Officer Lyons, will you just read for us,
5 hopefully you can see it, it's kind of small, what it says in
6 the chat, on the side there?

7 A. Starting on the first page?

8 Q. Yes, starting from the chat, the green chat at
9 the top. And tell us who it's from, and when it was sent.

10 A. The way that it is, it's spelled out, so the
11 green is Mr. Vargas, and his alias, First Time. He's speaking
12 with a Los Hermanos member, as it says, Los Hermanos MC, who
13 goes by Spark. There's a photo sent of an Amigos member, and
14 then a comment from Vargas, "Bro, they want his ass. They
15 think he was with them all along."

16 Q. Okay. And looking at the picture, because
17 there's a picture attached to the message, do you recognize
18 that individual?

19 A. I do.

20 Q. And who is that?

21 A. That is a former Amigos member, became a B*EAST
22 member, Kevin Cicero, goes by Shy, and he was one of the
23 individuals shot on November 2nd, 2021, leaving the Blue Bayou.

24 Q. Okay. And now looking at Government's Exhibit
25 17, same -- this is from the same extraction?

1 A. Yes, ma'am.

2 Q. And it's a fair and accurate depiction of that
3 extraction?

4 A. Yes, ma'am.

5 Q. Okay. And if you'll just read --

6 MS. BOWEN: Well, excuse me, Your Honor. The
7 Government would move to admit Government's Exhibit 17 at this
8 time.

9 THE COURT: So admitted over Defendants' objection.

10 MS. BOWEN: And I have a copy for the Court.

11 BY MS. BOWEN:

12 Q. Can you read that chat for us?

13 A. It's a photo of some support club patches, and
14 you can tell just from the color, just by looking at it, of the
15 gold over the red, which is opposite of the Bandidos. And
16 David Vargas, under his alias, First Time, says, "That patch
17 was made by a National BB. It's the Expect No Mercy for
18 support." And then, "We got it last night from National."

19 Q. Okay. And that was the name "First Time" sending
20 that?

21 A. Yes.

22 Q. So that was Mr. Vargas, from your investigation?

23 A. Yes, ma'am.

24 Q. Okay. And I guess looking at the picture
25 attached to that, what does the patch say?

1 A. Well, the Centro is just the chapter of the
2 Mascareros. The one he's speaking about is the G-Unit patch,
3 which is underneath it.

4 Q. Okay. And when he says that it's Expect No Mercy
5 for support, based on your investigation and your
6 understanding, what does that mean?

7 A. Well, again, the Expect No Mercy is a patch
8 that's earned and awarded to a Bandito for committing a
9 significant act of violence against a rival. So they made a
10 patch for support clubs that mean the same thing. It can't be
11 Expect No Mercy, because that's just the Bandido's one, so they
12 created one they called the G-Unit.

13 Q. Okay. And looking at the next picture in your
14 pile there, Government's Exhibit 18, do you recognize this
15 photo?

16 A. Yes, ma'am.

17 Q. How do you recognize that?

18 A. Just from our investigation from social media
19 research, of a group of Mascareros in front of Mount Rushmore.

20 Q. Was this also obtained from that cell phone
21 gotten from Mr. Vargas?

22 A. Yes, ma'am. Yes, ma'am.

23 Q. Okay. And is it a fair and accurate depiction of
24 the photo from his phone?

25 A. Yes, ma'am.

1 Q. Okay.

2 MS. BOWEN: Your Honor, we'd move to admit Government
3 Exhibit 18.

4 MR. DEGUERIN: Can we at least get a date of, like,
5 when this was supposed to be taken, or a timeframe of the --

6 THE COURT: Sure. Just so we can put it into
7 context.

8 OFFICER LYONS: Yeah, it was in between June '21,
9 when Mr. Vargas said he earned it, and then he became a Bandito
10 in September of '21. So the only -- Without having the full
11 report in front of me with the date on it, I know it's between
12 June and September of '21.

13 BY MS. BOWEN:

14 Q. Okay. And when you say "earned it," are you
15 referring to that patch we just talked about?

16 A. Oh, I'm sorry. Yeah, because him and Mr.
17 Rickenbacker and Mr. Lett, indictees of this case, had the G-
18 Unit patch. And from the original message that I just
19 testified to, Mr. Vargas said he got that G-Unit patch in June
20 of '21.

21 Q. Okay.

22 THE COURT: That's admitted, over Defendants'
23 objection.

24 BY MS. BOWEN:

25 Q. And you kind of already touched on it, but do you

1 recognize the other individuals in that picture?

2 A. Yes, ma'am.

3 Q. Okay. And who are they?

4 A. Again, Mr. Vargas on the left, Rickenbacker in
5 the center, and Marcel Lett on the right, and I'm not familiar
6 with the individual on the far right.

7 Q. Okay. And are they all wearing that G-Unit
8 patch? I know it's a little difficult to see, but --

9 A. It looks like everybody but the individual on the
10 far right.

11 Q. Okay. Okay. Now looking at Government's Exhibit
12 19, is this also from that same extraction?

13 A. Yes, ma'am.

14 Q. And when was this chat sent?

15 A. December of '21.

16 Q. Okay. And is it a fair and accurate
17 representation from that download?

18 A. Yes, ma'am.

19 Q. Okay.

20 MS. BOWEN: Your Honor, we'd moved Government's
21 Exhibit 19 into evidence.

22 THE COURT: Admitted over Defendants' objection.

23 MS. BOWEN: Okay. And I'm sorry, Your Honor, I
24 forgot to hand you 18, so I'm going to hand 18 and 19.

25 BY MS. BOWEN:

1 Q. Okay. Officer Lyons, will you read that chat for
2 us?

3 A. Mr. Vargas is in a chat, saying, "I became a
4 Bandito, mama. I was a Mascarero before, when I met you.
5 Joined the big leagues." And then followed by a, "Thank you.
6 Yeah, they got me -- yeah, they got me. Got some stupid shit.
7 Went to jail, nothing crazy. Won't be the last time, LOL. But
8 I'm back in Katy, terrorizing the streets with my friends."

9 Q. Okay. And at this point, December 11th, 2021,
10 was Vargas a member of the Bandidos?

11 A. Yes. This was after the Blue Bayou murder.

12 Q. Okay. And looking at Government's Exhibit 20, is
13 this also a chat from the same phone extraction?

14 A. Yes.

15 Q. And when did this chat occur?

16 A. November 17th of '21.

17 Q. Okay. and is this a fair and accurate
18 representation from that phone download?

19 A. Yes, ma'am.

20 MS. BOWEN: Your Honor, at this time we'd move to
21 admit Government's Exhibit 20.

22 THE COURT: Admitted.

23 MS. BOWEN: And I have a copy for the Court.

24 BY MS. BOWEN:

25 Q. Okay. Officer Lyons, will you read this chat?

1 And I'm sorry, it spans a couple pages.

2 A. That's okay.

3 Q. You can just read Mr. Vargas' -- well --

4 A. He's in a chat with a Bandito. It's saved as
5 Mexican Bear, who's a Bandito we identified in this
6 investigation. But David Vargas is saying, "We snatching a
7 flag here real soon."

8 Q. You can just read Mr. Vargas'.

9 A. Okay. And then he responds, to quote him, "Gang
10 shit, nigga'. We finna' fight." The flag being a cut, that's
11 how -- that's how they refer to cuts, as a flag. The next
12 page, sometime after that one it says, "Took two cuts." Then
13 "LMAOOO," a few O's. Darvi was like, "Y'all coming out of
14 them cuts, or y'all finna' see the Satanic Hispanic, aka me,
15 LOL. Still pulled cuts." So it's just bragging about taking
16 cuts of a known club. A few minutes later, Vargas says, "This
17 coke is different. Makes me wanna fight. LOL. We went to
18 them niggas, and they caught pussy." And then finishes off the
19 -- Actually, he does not on that. At the end of the third
20 page, he says, "Expect No Mercy always." Page four, "I did a
21 lot of cocaine, and beat two people up." And then shortly
22 followed by, "Gonna go see my daughter tonight."

23 Q. Okay. Now, was Mr. Vargas arrested in December
24 of 2021?

25 A. Yes.

1 Q. And after that, kind of what was his status with
2 the Banditos, I guess?

3 A. He was, he was -- he ended up making bond, and
4 put on an ankle monitor on the State case. So when that
5 happens, the Banditos typically, and with Mr. Vargas, kind of
6 put him on a no association, like don't ride around on your
7 motorcycle wearing your cut, advertising you're a Bandito. But
8 he was still a Banditos member, and was at events, attended
9 parties, etc.

10 Q. Okay. And did you learn this through
11 surveillance? How did you learn it?

12 A. Through surveillance, photographs on social
13 media, where he would, even though on bond, still at -- hanging
14 around with Banditos, like at the Lone Star Rally in Galveston,
15 at John Pfeffer's birthday party. So still was attending
16 Bandito events.

17 Q. Okay. Now we're going to jump way forward in
18 time here, because I went out of chronological order. I
19 apologize. Are you familiar with an incident that occurred on
20 July 31st, 2024?

21 A. Yes, ma'am.

22 Q. and just a summary of what happened on that day.

23 A. There was what looked like to be, like, another
24 regional card game or meeting between several chapters of the
25 Bandidos. A lot of members of Welcome to Hell attended at a

1 bar in Houston, in Harris County. That meeting was put under
2 law enforcement surveillance.

3 Q. Okay. And through that surveillance, what did
4 officers see?

5 A. A white truck that arrived to the bar, that
6 occupied in it was Bradley Rickenbacker, John Pfeffer, David
7 Vargas, and a prospect at the time named Sean Christison, who
8 goes by Skinman, departed the truck. Throughout the evening,
9 they would come kind of back out to the truck at various times,
10 in various different mixtures of groups. Law enforcement noted
11 that it was indicative of possible hand-to-hand narcotics
12 transactions.

13 Q. Okay. And following this event, when that
14 vehicle left, was a traffic stop executed on that vehicle?

15 A. Yes, ma'am. Units of the Houston Police
16 Department observed the vehicle violating numerous traffic
17 laws, and engaged in a traffic stop on it.

18 Q. Okay. And who was the driver of that vehicle?

19 A. Bradley Rickenbacker.

20 Q. And was the vehicle inventoried as well?

21 A. Yes. Mr. Rickenbacker was placed under arrest
22 for violations of the traffic code, and for unlawful carrying
23 of a weapon by a gang member, for a pistol. The other
24 occupants were removed from the vehicle, and then the vehicle
25 was inventory searched.

1 Q. Okay. And who were the other occupants?

2 A. The front seat passenger was John Pfeffer, the
3 rear-right passenger was David Vargas, and the driver's side
4 passenger was Shawn Christison.

5 Q. Okay. And did Mr. Pfeffer have a firearm with
6 him?

7 A. Yes, on his person.

8 Q. And I think you mentioned Mr. Rickenbacker had a
9 firearm with him?

10 A. Yes, ma'am.

11 Q. Did Mr. Vargas have a firearm?

12 A. He did not.

13 Q. Was there -- Well, I guess let's just kind of
14 look at Mr. Christison here for a minute, even though he's not
15 here. Did he have a bag with him, containing a firearm -- or
16 not a firearm, excuse me, cocaine?

17 A. Yes. As a matter of fact, he did have a firearm
18 in the front. Like if you sit in the back seat, there's
19 usually, like, a little almost kangaroo pouch type of
20 compartment, and there was a firearm in there, in front of Mr.
21 Christison. And then there was a tan, tactical backpack on the
22 floor by his feet. The search of that backpack revealed a
23 baggie of cocaine, as well as several empty baggies, and a
24 scale, which is common for distribution.

25 Q. Okay. And had you seen Mr. Christison with this

1 backpack earlier in the night?

2 A. Yes, ma'am. The surveillance operation had
3 actually started a few hours early. We had surveillance units
4 watching Mr. Pfeffer's house, John Pfeffer's house in Katy.
5 Sean Christison was seen arriving to that house in his truck.
6 He exited his truck, carrying his Bandidos prospect cut, and
7 wearing that same backpack as he entered Mr. Pfeffer's house.

8 Q. Okay. And in your experience, what happens to
9 Bandidos members who are arrested with narcotics?

10 A. Kind of like what was put on Vargas after his
11 arrest, especially because you're not supposed to be using hard
12 narcotics, especially if you have Bandidos paraphernalia or
13 cuts on you, because now you're highlighting the club, as they
14 call it. They typically will be put on disassociation until
15 their case is adjudicated, because they don't know if they're
16 going to cooperate with law enforcement, etc. When Mr.
17 Christison made bond, he was promoted to a full member of the
18 Bandidos.

19 Q. Okay. So he wasn't put on disassociation?

20 A. He wasn't punished at all.

21 Q. And based on your experience investigating the
22 Bandidos, and investigating all these chapters in the area,
23 what does that indicate to you?

24 A. That they were rewarding him for taking the case,
25 and keeping his members of his chapter out of jail.

1 Q. Officer Lyons, are you aware that an indictment
2 was returned on February 11th, 2024, charging various Bandidos
3 members and associates with racketeering charges, and other
4 related charges?

5 A. Yes, ma'am.

6 Q. And are you also aware that an arrest warrant was
7 issued on that same day?

8 A. Yes, ma'am.

9 Q. Okay. And on February 19th, 2024, were Mr.
10 Pfeffer, Mr. Rickenbacker, and Mr. Vargas arrested, pursuant to
11 that warrant?

12 A. Yes, ma'am.

13 Q. And were their residences searched that same
14 morning?

15 A. Yes, ma'am, pursuant to the federal search
16 warrants.

17 Q. Okay. And we'll start with Mr. Rickenbacker and
18 Mr. Pfeffer. Were they living at the same residence?

19 A. Yes, ma'am.

20 Q. Was that at 21727 Cayman Point Drive in Katy,
21 Texas?

22 A. Yes, ma'am.

23 Q. And do you know who owned that residence?

24 A. I believe it was -- well, it was John Pfeffer's,
25 and Rickenbacker was staying there.

1 Q. Okay. And as part of the search of this
2 residence, were photographs taken?

3 A. Yes, ma'am.

4 MS. BOWEN: Your Honor, I think it makes the most
5 sense for court efficiency if we just go ahead and admit all
6 the images, subject to objections, from that search warrant in
7 kind of one clump, so I don't have to keep --

8 THE COURT: I'll note the relevance objection. Any
9 other objections?

10 MR. DEGUERIN: Which numbers?

11 MS. BOWEN: Oh, sorry. It would be Government's
12 Exhibits 21 through 47.

13 THE COURT: They're all from the search warrant?

14 MS. BOWEN: Yes, of the same residence.

15 MR. DEGUERIN: Same objection, Your Honor.

16 THE COURT: Overruled. I'll admit it -- I'll admit
17 them.

18 MS. BOWEN: Thank you. And Your Honor, I'll --

19 THE COURT: How much more do you have to go, Ms.
20 Bowen?

21 MR. DEGUERIN: Not much. It's just the searches, and
22 that's it.

23 THE COURT: Okay. Then we'll take a break after
24 she's done, and reconvene. But --

25 MS. BOWEN: And we can get through the pictures

1 quickly.

2 THE COURT: I think the inmates maybe need to use the
3 restroom (indiscernible) break, as does Counsel.

4 MS. BOWEN: Okay. Well, we'll flip through these
5 quickly.

6 THE COURT: Okay.

7 MS. BOWEN: I'll pass them up for the Court.

8 BY MS. BOWEN:

9 Q. Officer Lyons, looking at Government's Exhibits
10 21 and 22, do you recognize this photo?

11 A. I do.

12 Q. And what is depicted here?

13 A. Two cell phones.

14 Q. And where were those found?

15 A. In a field, behind the property and curtilage of
16 John Pfeffer's residence.

17 Q. And were you able to identify who those phones
18 belonged to?

19 A. Yes, ma'am.

20 Q. And who was that?

21 A. John Pfeffer and Bradley Rickenbacker.

22 Q. Okay. But they weren't -- When officers got to
23 the house at 6 a.m., they were already in that field?

24 A. Yeah, we could not locate their cell phones
25 inside the residence.

1 Q. Okay. So how were you able to find these?

2 A. We saw a ground crew, or a land crew out, working
3 back on that property, and made contact with them, and they
4 said they had found these two cell phones.

5 Q. Okay. And looking at Government's Exhibits 23
6 and 24, what is depicted there?

7 A. Twenty-three and 24 is a semi-automatic pistol,
8 maybe a Glock variant is what it looks like, just from looking
9 at it right here, inside of a -- it was located inside a pickup
10 truck in the driveway.

11 Q. In the driveway of Mr. Pfeffer's residence?

12 A. Yes, ma'am.

13 Q. Okay. And looking at 25, what's depicted there?

14 A. A framed Mascareros cut. Which is not uncommon
15 for a member of a club that's no longer there, to frame it up
16 as a trophy.

17 Q. Okay. And 26?

18 A. A group of stickers, chapter tabs, Bandito
19 membership cards. We believe this was Mr. Rickenbacker's
20 because of the secretary-treasurer rank tab.

21 Q. Okay. And 27? I'm trying to move through these
22 quickly. Sorry.

23 A. A gun safe, Mr. Pfeffer's gun safe, that has a
24 picture of the bolt crew of note, the SS Lightning Bolts.

25 Q. Okay. I don't think we talked about that. What

1 is the bolt crew?

2 A. The Bandidos have a bolt crew, what they call it,
3 or an SS crew. And what it is, it's a specifically designated
4 group internal to the Bandidos, if -- They're basically known
5 to go do dirt, and go do dirty work, a group of enforcers that
6 protect the integrity of the club from outside threats, or even
7 internal threats. And they have a symbol on their cuts they'll
8 also wear on hats, T-shirts, jewelry, stickers that can go on a
9 motorcycle, and it's two Waffen SS bolts from Nazi Germany, but
10 with a sombrero on top of them. And if you have that, you're
11 part of the SS crew.

12 Q. Okay. And looking at 28?

13 A. An Expect No Mercy ring, which as testified to,
14 if you have an Expect No Mercy patch, you've earned it, you can
15 pretty much wear it anywhere you want.

16 Q. And 29?

17 A. It looks like an AR variant assault rifle in Mr.
18 Pfeffer's room.

19 Q. And 30 and 31?

20 Q. A semi-automatic pistol, and a magazine to said
21 pistol from Mr. Pfeffer's room.

22 Q. Okay. And 32?

23 A. Mr. Pfeffer's Banditos cut.

24 Q. Okay. And 33 and 34?

25 A. A pistol in -- I believe that's a kitchen area,

1 up in, like, a cabinet. Many of these Banditos members will
2 have firearms strategically placed around the residence, for
3 easy access.

4 Q. And 35?

5 A. Bandidos paperwork. It looks like the tracking
6 of the selling of merchandise. The term "kitty" is slang,
7 that's like their treasury, like how much money do we have in
8 the kitty? And that shows how much money that they have cash
9 on hand. Bandidos move money through Cash App, and then sell
10 various merchandise to their own members, or otherwise
11 unknowing supporters.

12 Q. Okay. And 36?

13 A. Again, part of the Bolt crew, the SS crew.
14 That's the symbol of the SS crew. It's a sticker on John
15 Pfeffer's motorcycle, again to advertise that he's part of the
16 SS crew.

17 Q. Okay. And 37?

18 A. The Expect No Mercy -- That is commonly
19 advertised by the Welcome to Hell. They will make hats where
20 it's on it, or they'll make certain shirts, as this one is, or
21 jackets. So if you're not in your cut, they still show the
22 world that they have their Expect No Mercy patch.

23 Q. Okay. And 38, I know it's a little hard to see -

24 -

25 A. That's a set of body armor.

1 Q. Okay. Why is body armor important?

2 A. As the war between the Bandidos and B*EAST and
3 the Homietos progressed, many members on all sides started to
4 purchase, or legally or however, body armor, because they know
5 it's very likely that they get shot in retaliation. Or if
6 they're out doing the hunting themselves, it's a layer of
7 protection, like law enforcement wears when they're out doing
8 raids.

9 Q. Okay. And 39?

10 A. It's a Bandidos flag. Common for member to have
11 a flag signed by various Banditos members.

12 Q. Okay. And 40?

13 A. This would be several boxes of ammunition.

14 Q. Okay. And 41?

15 A. Another set of body armor under a cross, in
16 remembrance of a Bandido, Tigger, who was killed in April of
17 '23, as part of this biker war.

18 Q. Okay. I think we can kind of look at 42 through
19 45 in a chunk here. What is depicted in those photos?

20 A. That is Mr. Rickenbacker's room, just with a lot
21 of Bandito art on it, some photo tributes to some Banditos who
22 were killed either as part of the war, or in motorcycle
23 accidents. You see on -- I guess you all have Government
24 Exhibit 44, you can see Expect No Mercy signs, at least two of
25 them up on the wall, as well as an Expect No Mercy hat on the

1 dresser, as well as a Santa Muerte on Exhibit 44, a Santa
2 Muerte shrine.

3 Q. And what is that?

4 A. Santa Muerte is traditionally seen in --

5 MR. DEGUERIN: I'm going to object to the relevance
6 of Santa Muerte. It has nothing to do with the Bandidos. It's
7 just --

8 THE COURT: Let's move on.

9 MS. BOWEN: Okay.

10 BY MS. BOWEN:

11 Q. What about picture 46?

12 A. The drawer in Mr. Rickenbacker's room, with the
13 semi-automatic pistol, and loaded magazines.

14 Q. Okay. And 47?

15 A. Rickenbacker's Bandidos cut.

16 Q. Okay. Now we'll switch gears, to the arrest of
17 Mr. Vargas. Was he arrested on February 19th, 2025?

18 A. Yes, ma'am.

19 Q. And leading up to his arrest, were officers
20 conducting surveillance on him?

21 A. Yes. He was at a bar throughout the night.
22 Vargas, Rickenbacker, and Pfeiffer were at a bar throughout the
23 evening. Once the group broke up, Vargas went to an after-
24 hours bar, and stayed there until around 5:00 in the morning,
25 when a traffic stop was conducted, and he was arrested.

1 Q. Okay. And was he searched, incident to that
2 arrest?

3 A. Yes, ma'am.

4 Q. And what was found on his person during that
5 search?

6 A. He had a pistol in the center console, and then
7 in his wallet, right behind his driver's license was a small
8 plastic baggie, with white powdery substance believed to be
9 cocaine.

10 Q. Okay. If you'll just take a quick look at
11 Government's Exhibits 48 through 51, do you recognize those?

12 A. Yes, ma'am.

13 Q. Are those the items that were on Mr. Vargas when
14 he was arrested?

15 A. Yes, ma'am.

16 Q. And are these photos a fair and accurate
17 depiction of those items?

18 A. Yes, ma'am. And the Expect No Mercy ring he was
19 wearing, which you can't -- you can't advertise --

20 Q. Let me -- let me admit the photos, and then we'll
21 talk about them.

22 A. I'm sorry -- Oh, I thought you did. I'm sorry.

23 MS. BOWEN: Your Honor, at this time the Government
24 would admit Government's Exhibits 48 through, what did I just
25 say, 51.

1 MR. WAKEFIELD: Judge, the only objection I have is
2 in 50, there's this white baggie. As I understand it, that's
3 not been tested, and I don't think it's relevant to this
4 particular matter because we don't even know what it is
5 (indiscernible)

6 THE COURT: Well, you can argue that. But I'm going
7 to admit it for purposes of this hearing.

8 MR. WAKEFIELD: All right, Judge.

9 MS. BOWEN: And for the Court.

10 BY MS. BOWEN:

11 Q. Okay. Officer Lyons, what is depicted in 48 and
12 49?

13 A. Forty-eight and 49 is the semi-automatic pistol
14 in the vehicle with David Vargas.

15 Q. Okay. And how about 50?

16 A. Fifty is the wallet, with Vargas' driver's
17 license. And that white powdery substance believed to be
18 cocaine was right behind the driver's license.

19 Q. Okay. And what about 51?

20 A. Fifty-one is a ring that Mr. Vargas had on, a
21 Banditos ring. On the side it says, Expect No Mercy, which you
22 can't advertise and wear unless you've earned it. So we noted
23 that ring.

24 Q. Okay. And following Mr. Vargas' arrest, was his
25 residence also searched that morning?

1 A. Yes, ma'am. Yes, ma'am.

2 Q. Was that the residence at 11212 West Park Drive,
3 Apartment 1116, in Katy, Texas?

4 A. Yes, ma'am.

5 Q. Okay. And again, if you'll just look at pictures
6 52 through 62, were those the items that were photographed
7 during that search?

8 A. Yes, ma'am.

9 MS. BOWEN Your Honor, we would move to admit
10 Government's 52 through 62.

11 THE COURT: Admitted, over Defendants' objection.

12 BY MS. BOWEN:

13 Q. Officer Lyons, just to clarify, when Mr. Vargas
14 was pulled over and arrested on the morning of February 19th,
15 2025, was he driving the vehicle?

16 A. He was.

17 Q. Okay. Okay, and we'll just zoom through these,
18 because I know everybody's ready to move on. Government's
19 Exhibit 52, what's depicted there?

20 A. We believe this to be Mr. Vargas' Mascareros cut,
21 which is common for them to keep, once they've left it in good
22 standing.

23 Q. Okay. And what about 53?

24 A. Bandidos T-shirts, stickers, just common clothing
25 the Bandidos wear and have.

1 Q. Okay. And 54?

2 A. Vargas' Bandidos cut.

3 Q. And is 55 just another picture of that?

4 A. Yes, it's just another angle of it.

5 Q. And 56?

6 A. Those are, at least the ones in the middle and on
7 the right are what soft cuts look like. They're just basically
8 the Bandidos mascot and stuff, just on a T-shirt.

9 Q. Okay. And 57, just briefly.

10 A. Bandidos patches, the fat Mexican mascot, photos
11 of him and his Welcome to Hell Chapter members, a necklace of
12 Santa Muerte.

13 Q. Okay. And 58?

14 A. There is a drawer in Mr. Vargas' room with
15 Bandidos patches, some prescription bottles, and a white Ziploc
16 baggie of a white powdery substance believed to be cocaine.

17 Q. Okay. And is that same substance photographed in
18 Government's Exhibit 60?

19 A. It is.

20 Q. Okay. And 59?

21 A. Fifty-nine, the 1% medallion.

22 Q. Okay. And 61?

23 A. That is a belt that says, "Property of Bandito
24 First Time." Old ladies of Banditos like to brag, and as do
25 Banditos, and they refer to their women as property. And so

1 that is going to be Mr. Vargas' wife's belt, so she can
2 advertise she is his property.

3 Q. Okay. And what about 62?

4 A. Property of Bandito, Old Lady, in a woman's
5 purse. This will be put -- Sometimes the old ladies will have
6 their own cuts, so when they ride on the motorcycles, they'll
7 have Bandido stickers.

8 Q. Okay. And when Mr. Vargas was brought in after
9 his arrest, did you have a chance to briefly interview him?

10 A. Yes, ma'am.

11 Q. And were there any statements of note that he
12 made to you?

13 A. He said he liked to, and I quote, pardon my
14 language, that he likes to -- that he just wanted to "Ride
15 motorcycles, do blow, and fuck horse."

16 Q. Okay.

17 MS. BOWEN: And Your Honor, that is all I have for
18 Officer Lyons. I would pass the witness.

19 THE COURT: Do you have any other witnesses?

20 MS. BOWEN: No, Your Honor.

21 THE COURT: Okay. Let's take a break. You want to
22 take a -- do you all want to take a break until 1:00, give
23 everyone time to go to the restroom, grab something to eat, and
24 be back here?

25 Now, just so you know, I have a docket starting at

1 2:00. Right, Shannon?

2 THE COURT CLERK: Yes, Judge.

3 THE COURT: 2:00. So I may take a quick break -- No,
4 tomorrow's at 1:30. Not today. So yeah, so let's be back here
5 at 1:00, we'll start up. I may have to take a break to do some
6 other -- take care of some other business, but then we'll just
7 keep going. All right?

8 (Brief recess.)

9 (Back on the record.)

10 THE COURT: All right. Your witness may resume, may
11 take the stand for cross.

12 And I remind you, sir, you are under oath still.

13 OFFICER LYONS: Yes, sir.

14 THE COURT: Okay.

15 Mr. Williams, are you going to go first?

16 MR. WILLIAMS: Yes, sir. I've got the lead -- I've
17 got Number 1 Defendant, so I reckon that's the way we --

18 THE COURT: Okay.

19 MR. WILLIAMS: Unless you have another preference.

20 THE COURT: No, no, that's fine. So you'll go to
21 cross, and I'll allow redirect, and then you all will finish
22 up, and then I'll allow the next attorney to go, and so forth.

23 MR. WILLIAMS: At some point, Judge, I may decide to
24 sit down, just due to a back thing, so -- if that's okay. But
25 I'll start at the podium.

1 THE COURT: I'm sorry, I can't hear you.

2 MR. WILLIAMS: I said at some point I may need to sit
3 down, due to back pain.

4 THE COURT: That's fine. Yeah, yeah.

5 MR. WILLIAMS: But I'll start off up here. Okay.

6 CROSS-EXAMINATION

7 BY MR. WILLIAMS:

8 Q. Officer Lyons, I believe that you testified that
9 you work for the Texas Department of Criminal Justice. Right?

10 A. The Texas Board of Criminal Justice, yes, sir.

11 Q. And you are a regional supervisor for the
12 Inspector General's Office. Right?

13 A. Yes, sir.

14 Q. So do you work for the Department of Criminal
15 Justice, or the Board?

16 A. It's technically the Board of Criminal Justice
17 that oversees the Department of Criminal Justice.

18 Q. And I believe you said you joined law enforcement
19 in '07. Right?

20 A. Yes, sir.

21 Q. And did you come to work initially with the
22 Board, or with some other entity?

23 A. With the Board.

24 Q. And at the Inspector General's office, you guys
25 inspect -- I mean, you're a regional supervisor, and so you all

1 investigate crimes within TDCJ as well?

2 A. I didn't start out as a regional supervisor, sir.
3 I was just a criminal investigator, investigating specifically
4 crimes within prison units and parole offices.

5 Q. And then you know from your experience
6 investigating crimes within prison units that oftentimes
7 contraband found in those units are brought in by staff, by
8 guards, etc. Right?

9 A. Sometimes.

10 Q. By members of the organization who are employed
11 for and paid by the Texas Department of Criminal Justice.
12 Correct?

13 A. Sometimes.

14 Q. And even though there are members who may bring
15 contraband, or they commit crimes in TDCJ ID, that doesn't mean
16 that TDCJ ID is itself a criminal organization, does it?

17 A. No, sir.

18 Q. Now, I believe you said that you have been
19 investigating this case for six years. Is that right?

20 A. Yes, sir.

21 Q. Okay. And in that six years, I believe at least,
22 call it within the last six months, this is at least the third
23 time you have testified about this group of Defendants, or
24 chapter. Is that fair?

25 A. I don't have the number, sir.

1 Q. Okay. Well, you testified Monday in the hearing
2 related to Mr. Dunphy. Correct?

3 A. Yes, sir.

4 Q. And so, that's one time. Correct?

5 A. Yes, sir.

6 Q. Today would be two.

7 A. Yes, sir.

8 Q. And then on -- and on Halloween, you testified in
9 a detention hearing Related to Darvi Hinojosa and John
10 Sblendorio.

11 A. Yes, sir.

12 Q. So that's at least three times.

13 A. Yes, sir.

14 Q. Are there other times that you've testified about
15 these Defendants or others, related to these -- this Banditos
16 chapter?

17 A. I'm not sure on this case. No, sir, I don't
18 think so.

19 Q. Well, are there other cases that you've forgotten
20 about?

21 A. I haven't forgotten, no, sir.

22 Q. Okay. So we have this indictment with these
23 individuals. Correct?

24 A. Yes, sir.

25 Q. There's also a case against an individual with

1 the last name Alm. Correct?

2 A. Who, sir?

3 Q. Alms, or Alm?

4 A. Yes, sir.

5 Q. Okay. Did you testify in that case?

6 A. I was not at that hearing.

7 Q. And is that case related to this, described in
8 the indictment in this case?

9 A. I'm sorry, sir?

10 Q. Is that case, Mr. Alm's case, is that related to
11 this case?

12 MS. BOWEN: Your Honor, I would object, as that case
13 is sealed, and so we don't want to be discussing it here.

14 MR. WILLIAMS: Judge, they filed a Notice of Related
15 Case in the clear in this case, and so if -- and they filed a -
16 -

17 THE COURT: But which part of the case is sealed?

18 MS. BOWEN: The entire case is sealed, Your Honor.

19 MR. WILLIAMS: That's not correct, Your Honor. It
20 was -- The Magistrate case number in that case is not sealed,
21 only the District Court case is. And so -- And they filed a
22 Notice of Related Case.

23 THE COURT: Where are you going with this, Mr.
24 Williams?

25 MR. WILLIAMS: Judge, I'll come back to it on

1 proffer. I'm just trying to identify how many times -- And it
2 will come clear later, when I do my proffer in my case. I'll
3 move on from this individual. But just so the record is clear,
4 there was a Notice of Related Case filed in this case,
5 referencing that individual and case number by name.

6 THE COURT: Okay. But let's not refer to anything
7 that's sealed.

8 MR. WILLIAMS: Okay.

9 BY MR. WILLIAMS:

10 Q. So there also were two cases filed last fall
11 against an individual named Torito. Right?

12 A. Who, sir?

13 A. filed last fall against an individual named
14 Torito. Right?

15 A. Who, sir?

16 Q. Ruben Moreno.

17 A. Oh, Ruben Moreno? Yes, sir.

18 Q. Yes. Is that Torito?

19 A. His nickname is Torito.

20 Q. Okay. Did you testify in those detention
21 hearings?

22 A. I did not testify in his hearing.

23 Q. What about a separate case against Sean
24 Christison , aka Skinman?

25 A. I testified in his hearing, I believe.

1 Q. Okay. So that would be a fourth time that you've
2 testified.

3 A. Yes, sir.

4 Q. Okay. So six years investigating this case,
5 including today, at least four times. Right?

6 A. At least.

7 Q. And in preparation for these four testimonies,
8 you've reviewed a fair number of materials. Right?

9 A. Yes, sir.

10 Q. What did you review today before you testified?

11 A. Pretty much the entire case.

12 Q. Which is what?

13 A. Do you not have the discovery, sir?

14 Q. No, sir, I don't.

15 A. Oh. Well, I reviewed the discovery.

16 Q. Okay. What did you review?

17 A. Six years' worth of interviews, surveillance,
18 social media research, consensual recordings, cell phone dumps,
19 arrests, controlled purchases, source debriefings, to name a
20 few.

21 Q. Did you bring those with you today?

22 A. They have access to give you, sir.

23 Q. And how many of those reports did you write?

24 A. A fair number.

25 Q. And you reviewed reports that you wrote prior to

1 testifying today?

2 A. Yes, sir.

3 MR. WILLIAMS: Judge, I would ask that we have copies
4 of the reports that this individual wrote. There's prior
5 statements that he reviewed prior to testifying today, which I
6 don't believe any of us have seen yet.

7 THE COURT: And sir, you're testifying from reports
8 that you wrote. Is that correct?

9 OFFICER LYONS: Throughout our investigation, reports
10 of -- that name these subjects over, I guess, the five, six
11 year period.

12 THE COURT: But that you, yourself wrote these
13 reports?

14 OFFICER LYONS: Some of them, yes, sir.

15 THE COURT: And you participated in this
16 investigation. Correct?

17 OFFICER LYONS: Yes, sir.

18 THE COURT: Do you have copies of his reports? I
19 mean, those -- Explain to me how that's not turned over under
20 Jencks, if those are his reports?

21 MR. BLACK: So it is Jencks Act material, we do
22 provide it upon request. We now have a request. Pursuant to
23 Jencks Act, we're prepared to provide it after his testimony.

24 I will note, so they're on this drive, there are -- I
25 mean, there's hundreds of gigabytes of data on this drive. It

1 is a lot of reports. But we have them.

2 MR. WILLIAMS: So Judge, that falls in the category
3 of not our problem. So I think that because they did not bring
4 them, understanding -- In fact, I ask -- They should have
5 brought them in a manner that was reviewable by us today.
6 Otherwise, what we need to do is recess this hearing for a
7 continuance, so they can provide those to us in an accessible
8 format, with sufficient time to review them prior to continuing
9 the cross-examination of this witness.

10 THE COURT: Did you request any of that stuff prior
11 to today?

12 MR. WILLIAMS: I don't remember exactly. I requested
13 some materials. I don't believe I said the Jencks Act. I
14 believe I was looking for search warrant affidavits, and they
15 wanted -- They've referenced discovery, but they wanted us to
16 agree to a protective order prior to delivering it, and I find
17 the terms, and I haven't -- What I've seen of the protective
18 order I can't agree to, and I haven't had a chance to mark it
19 up. Because I assume, based on my experience, that they would
20 bring this witness' statements prior to the hearing, and then I
21 was in front of the -- I observed the hearing where he
22 testified on Monday, and this issue didn't arise. So I kind of
23 assumed from that that maybe he hadn't even written any
24 reports, based on what I observed in the detention hearing on
25 Monday.

1 THE COURT: Well, I mean, this should have been done
2 a lot sooner. You should have requested it. You know this
3 case has been going on a long time, and it should have been
4 done. You should have provided it, instead of wasting the
5 Court's time this morning, before bringing a witness who's done
6 a voluminous amount of work in this case, and you know that
7 it's producible under Jencks. Unless you want to correct me on
8 that. Is it not -- is this not Jencks?

9 MR. BLACK: Your Honor, we repeat it is Jencks Act
10 material. Again, our position is that it's producible after
11 the witness has testified.

12 THE COURT: And how much information is this?

13 MR. BLACK: It is significant.

14 THE COURT: Well, I mean, they have the right to
15 review it, so we can recess these hearings. Everyone is going
16 to remain in custody. When do you want to recess them to?

17 MR. WILLIAMS: I don't know. How long will it take
18 for you to produce it the way that -- the materials that we're
19 entitled to, that are in an accessible format? How voluminous
20 is that, and how long will it take to get it to us?

21 MR. BLACK: So we actually -- So this drive, I got
22 this drive from another co-counsel yesterday, it's ready for
23 production today. So it doesn't take us long to get it to
24 counsel upon request.

25 MR. WILLIAMS: Can you identify the materials that

1 this individual authored, so that we don't have to hunt through
2 a voluminous amount of --

3 MR. BLACK: So there is an index on here --

4 MR. WILLIAMS: Okay.

5 MR. BLACK: -- that does index the names of the
6 reports, and so on.

7 MR. WILLIAMS: Can you tell me which lawyer has that?
8 Is it one of these three, or one of us three?

9 MR. BLACK: No, this is for Mister (indiscernible)
10 But we can produce the same for everyone.

11 MR. WILLIAMS: Okay.

12 THE COURT: Now, let's see. It's 1:10 right now.

13 MR. DEGUERIN: Judge, I don't want to get into a
14 fight that's not my fight, but we just got this case last week.
15 I understand that there is discovery available, but we would
16 have to get the hard drive, a terabyte hard drive or somewhat -
17 - to them to get it copied, to get it back here for today's
18 purposes. We had some discussion about it, and I asked, and he
19 said, well, if you can bring it to me -- Of course, that was
20 Friday, and you know, we're here today, and we could not get it
21 there, get it copied and back before this. I kind of did
22 expect there may be some written reports that we'd have been
23 able to read also. But we have been working with Mr. Black --

24 MR. WILLIAMS: We have.

25 MR. DEGUERIN: -- trying to figure it out. The

1 problem is we just don't have it. So we are at the crossroads
2 where we just don't have it. And I expect, it sounds like that
3 he's done a lot of work on this case, and you know
4 (indiscernible) to all his work. And so I can't see that we'll
5 be able to do it now, and be ready, you know, in an hour,
6 unless --

7 MR. BLACK: And I should clarify. So I did have
8 interactions with Counsel at the initial appearance, and then
9 also I sent an email out at the end of last week, saying there
10 is discovery available. If you give me drives, we will get it
11 loaded as soon as we can. And also, here is the proposed
12 protective order. Do you have anything, or any objections to
13 this? I have received probably six or so drives already that
14 we're loading. So anyone here that doesn't have it yet, it's
15 either because they haven't given us a drive, or they have, but
16 it's just, it's still loading the drive.

17 THE COURT: All right. I'm going to put this on
18 everybody, both sides. You should have gotten this done. You
19 should have turned over at least his written reports, and so
20 that we could have gone through and taken care of this hearing
21 today.

22 How many reports has he done? Ballpark.

23 MR. BLACK: Dozens. Dozens. Dozens.

24 THE COURT: More than dozens? Like 30, 40, 50?

25 OFFICER LYONS: Potentially, yes, sir.

1 THE COURT: Tons. All right. Well -- What's today?
2 Today's Wednesday? Friday. I mean, if it's just -- What -- Is
3 there anything -- There's other discovery on that drive, right,
4 other than what he did?

5 MR. BLACK: Correct.

6 THE COURT: But for the purposes of this hearing, and
7 Jencks material, you need to produce his statements, or his
8 reports that he authored. And that's what I expect to be
9 reviewed before we continue this. Now, there's probably a ton
10 of more information on there --

11 MR. DEGUERIN: Yeah, we would need -- I mean, for
12 today's purposes, for this detention hearing, we're entitled to
13 the Jencks material.

14 THE COURT: Right.

15 MR. DEGUERIN: The other discovery that comes with
16 the protective order, that comes -- that's at a different time.
17 We really just need his --

18 THE COURT: Right. I agree with that. That's
19 correct.

20 MR. DEGUERIN: But because you've already gone
21 through the first part of this, and you've heard his testimony
22 about all the Defendants, and now we're doing the individual,
23 we don't necessarily have to be on the exact same -- I mean,
24 you could come back and hear just the individual Defendants.
25 If you're thinking about Friday, I have to be in Johnson City

1 for a sentencing on Friday. I can't -- It's a -- I can't be
2 here Friday. I would -- If you get what I'm saying, it's that
3 now that he's already done the joint part of it, now it's just
4 the individual Defendants, and we're talking about just the
5 specific relevant question to the Defendants, and
6 (indiscernible)

7 THE COURT: Right, but it makes more sense to have --
8 you know, because there may be redirect, and recross, and --

9 THE COURT: Right. So -- all right. (indiscernible)

10 MR. WILLIAMS: I mean, feasibly, we could get, I
11 could get to -- I could get you a drive today, and then maybe
12 we could get it --

13 THE COURT: we could do it March --

14 MR. BLACK: Tomorrow or Friday.

15 THE COURT: We could have Monday.

16 MR. WILLIAMS: Monday works for me, Your Honor. I go
17 to ABA conference Tuesday through Friday, so Monday works for
18 me.

19 MR. WAKEFIELD: Judge, I'm sure I can make Monday
20 work. The only thing I've got going on is that my witness is
21 actually giving birth on Friday. If the Court's okay with it,
22 and if the Defense and the prosecutor's okay with it, could I
23 just do a proffer with her information to the Court on Monday?

24 THE COURT: That's fine.

25 MR. WAKEFIELD: Thank you, Judge (indiscernible)

1 THE COURT: (indiscernible) fine with that?

2 MS. BOWEN: Yeah.

3 THE COURT: Let's do Monday -- Monday morning, the
4 3rd, at 9 a.m.

5 And Officer, you're under oath, and you cannot
6 discuss this case with anybody, pending you coming back here on
7 Monday morning.

8 OFFICER LYONS: Yes, sir.

9 THE COURT: I just want to, I just -- this is very
10 disappointing. It's just been -- We could have taken care of
11 this thing today, and recessing this for several days is just -
12 - it's not efficient, and it's a waste of the Court's time, and
13 I'm just very disappointed at this time. But -- all right.
14 Until that time, we are in recess. And the Defendants, Mr.
15 Pfeiffer, Rickenbacker, and Mr. Vargas, you all are remanded to
16 custody, pending the continuation of this hearing on Monday,
17 March 3rd, at 9 a.m.

18 Is there anything further from either side at this
19 time?

20 MR. BLACK: No, Your Honor.

21 MR. WILLIAMS: No, sir.

22 MR. DEGUERIN: No, Your Honor.

23 MR. WAKEFIELD: No, Your Honor.

24 MR. BLACK: Thank you, Your Honor.

25 THE COURT: All right. Thank you. You're excused.

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(Hearing adjourned at 1:18 PM)

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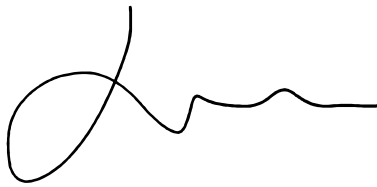
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C E R T I F I C A T I O N

I, Lindsay Peacock, court-approved transcriber, certify that the foregoing is a correct transcript from the official electronic sound recording of the proceedings in the above-entitled matter.

A handwritten signature in black ink, appearing to read 'Lindsay Peacock', with a large loop at the start and a wavy line extending to the right.

Lindsay Peacock

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Date: March 9, 2025